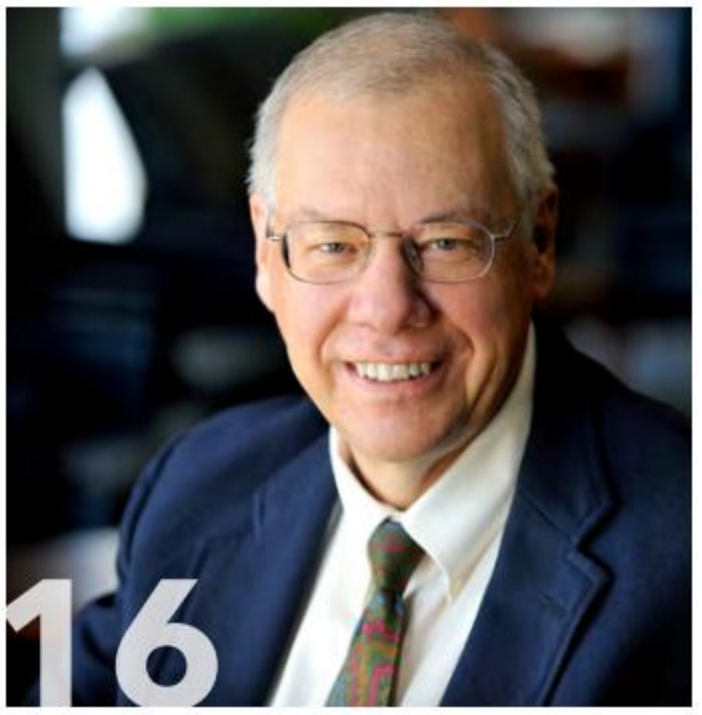
FALL 2020

LAW NOTES

UNIVERSITY OF KENTUCKY J. DAVID ROSENBERG COLLEGE OF LAW

A Year for the HISTORY BOOKS



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ABOUT THIS MAGAZINE

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ON THE COVER

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MESSAGE FROM THE DEAN

"Five hundred twenty-five thousand six hundred minutes. How do you measure, measure a year?" As I began to consider my message to you, I was reminded of this quote from the musical "Rent" of several years ago. How do you measure the year we just completed at the UK J. David Rosenberg College of Law?

As you turn the pages of this edition of Law Notes, consider what has happened since we opened our doors in August 2019. We moved into the fantastic re-imagined Law Building after two years across the street watching the new building rise like the Phoenix from the ashes. I began my year as your Interim Dean, a role I continue to serve with gratitude, thrilled to have the opportunity to lead this college where I have spent my legal academic career since 1991, never imagining the year that would unfold. We unpacked boxes for what seemed like months—not realizing we would be moving out again in a short seven months. You will enjoy seeing the photos of the renovated Law Building. We've created a collaborative learning environment and community.

J. David Rosenberg, Class of 1973, created a $20 million endowment to enhance the intellectual excellence and promise of an alma mater that, in his words, "gave more than anyone could ask from a legal education." He and his wife Dianne's generosity, the third-largest single gift to the university, is recognized by the new name of this institution—the University of Kentucky J. David Rosenberg College of Law. You will enjoy reading more about David and the goals his gift will help us achieve.

The student accomplishments you are about to read will inspire. Our students are excelling in every aspect of their legal education—planning and hosting national symposia, competing and winning national moot court, trial advocacy, tax and employee benefit competitions, winning student awards, and thriving in this environment that challenges and motivates them to excel.

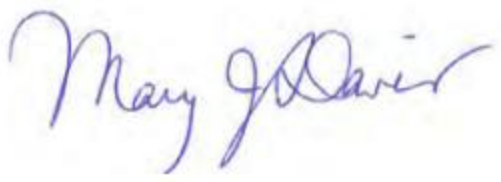
Your faculty continue to impact the Commonwealth, nation and world. Read about the national and international prominence of professors such as Bob Schwemm, Melynda Price and Ramsi Woodcock. You will also be introduced to our newest faculty colleagues, Alan Kluegel and Jonathan Shaub.

Alumni of this college lead at every level. You will read about Aurelia Skipwith, Class of 2005, who just became the director of the U.S. Fish and Wildlife Service, and Herb Stapleton, Class of 2000, a section chief in the FBI's Cyber Division, who has been called on to educate the public about potential cybercrimes, especially during the pandemic. Marie and Bill Cull and John and Debra Merchant's careers of impact and import show the power of the education received here. Maj. Jenohn Smith's commitment to supporting and mentoring Black female lawyers-to-be illustrates the way so many of you continue to pay forward your success, and your commitment to the legal community.

To measure this year requires that we face head on the challenges of the pandemic in our midst and the need to act to address issues of racial injustice in our college, community and nation. We moved out of the building in March, taught and worked remotely, supported one another during a time of uncertainty and upheaval, and celebrated the Class of 2020, about which you will read. We have all seen the powerful and terrifying images of injustices to our Black communities. Rosenberg College of Law leadership—faculty, administration, staff and students—are determined to discuss and understand what we can do to respond, but we also must act. We have created a Diversity, Equity and Inclusion Student Advisory Board to advise college leadership and faculty committees as we face these challenges. Our faculty are engaged in the university's larger racial justice response effort and in the Lexington community to bring their expertise and judgment to bear on difficult issues of race in the law and in the legal profession. At UK Rosenberg Law, we are delving into our history and exploring new ways to recognize, and learn from, Black alumni who paved the way for others.

This has been an unprecedented year with many accomplishments that laid the foundation for a bright future as well as obstacles that challenged us and taught us. Join me as we recognize where we've been and continue writing history.

All rise!



Mary J. Davis
Interim Dean and Ashland-Spears Distinguished Research Professor of Law

UK Rosenberg Law Students Succeed IN NATIONAL COMPETITIONS

It has been more than a year since the University of Kentucky J. David Rosenberg College of Law reopened in a modern space that fosters collaboration and success. Over the past academic year, a renewed sense of teamwork has led to national recognition for UK Rosenberg Law students in various competitions.

ABA Tax Challenge

Third-year law students Amanda Krugler and Scott Sullivan were awarded first place in the American Bar Association's 19th Annual Law Student Tax Challenge, J.D. Division, in February. The contest gives students an opportunity to research, write about, and present their analyses of a real-life tax problem. A record number of teams – 84 – submitted memos for the written portion of the J.D. competition. Six teams, including Krugler and Sullivan, were selected to present oral arguments before a panel of tax lawyers and tax court judges attending the Section of Taxation 2020 Midyear Tax Meeting in Boca Raton, Florida.

Jennifer Bird-Pollan, Robert G. Lawson Professor of Law, served as the team's coach for the challenge.

"It's great for our college because we get tangible proof that our students match up against students from law schools all across the country," Bird-Pollan said.

Krugler, who hails from Florissant, Missouri, heard about the competition in Bird-Pollan's class and decided it would be a good learning experience and resume boost. Krugler said she enjoyed researching and writing about statutes she had not previously examined. The problem involved several issues related to a taxpayer with rental property.

"I hope other UK students compete. I think this shows that UK is really competitive in these competitions. A lot of ABA sections have their own research and writing competitions, and I hope that UK students participate and bring home more wins," Krugler said.

Sullivan of Fort Wayne, Indiana, had a career as an Air Force officer for 23 years before he became a law student.

"My younger son got a scholarship, so I didn't have to use my G.I. Bill for him, and I'd always wanted to go to law school," he said.

The Employee Benefits Moot Court Competition

Law students Jacob Ludwig and Zachary Holt placed second in the Ellen A. (Nell) Hennessy Employee Benefits Moot Court Competition at Catholic University. The team also won best brief runner-up.

Catholic Law and the American College of Employee Benefits Counsel hosted the third annual competition in which participants address cutting-edge employee benefits issues. Seven teams competed, including two from Catholic Law. Catholic Law and UK Rosenberg Law teams competed in the finals.

"We both saw it as an opportunity to get some moot experience before graduating," said Holt, a third-year law student from Bloomfield, Kentucky.

Kathryn L. Moore, Stites & Harbison Professor of Law at UK Rosenberg Law, approached Holt and Ludwig, a third-year law student from Louisville, Kentucky, about the competition. Both students had taken Moore's employee benefits class.

Ludwig said he decided to participate in the competition because he really enjoyed Moore's employee benefits class and wanted to "delve deeper into the subject."

> "I think the professors are the reason so many students from UK Rosenberg College of Law were successful this year at competitions.Our professors truly do care about giving their students the best tools and opportunities to succeed."
>
> Jacob Ludwig

BLSA Mock Trial Competition

UK Rosenberg Law students Asia Ellis, Anthony Franklin, Taylor Kennedy and Toria Levy finished in fourth place, out of 61 teams, in the National Black Law Student Association Constance Baker Motley Mock Trial Competition.

The students earned second place at the Midwest Black Law Student Association Constance Baker Motley Trial Competition held in Indianapolis. The team's second place finish secured them a spot in the National BLSA Mock Trial Competition.

"In preparation for this case, I earned practical experience preparing a witness for trial, filing motions and creating a persuasive theory of the case to get a ruling in my favor," Asia Ellis said. "This competition also helped me apply the different concepts my professors have taught me in the last two years to be a successful attorney in the future."

The Constance Baker Motley Mock Trial Competition is one of six regional competitions hosted by the National Black Law Student Association and one of the most highly regarded mock trial competitions for law students nationwide.

Students felt immense support from university and college staff in advance of the competition.

"Our coaches Ron Walker and Gerry Harris have been instrumental in this process as have the members of the John Rowe Chapter of the National Bar Association, with some donating money and giving up their Saturdays to come listen to us practice our trials and provide feedback," Taylor Kennedy said.

"There were so many faculty members and alumni who were involved in helping us prepare for the competition," Ellis said. "They made sure we had the necessary supplies and tools to be adequately prepared to be successful."

In addition to Ron Walker and Gerry Harris, UK Rosenberg Law would like to thank the following local attorneys who dedicated their time to prepare the students for competition: Leah Mason, Denotra Gunther, Anthony Gray, John McNeil, Carlos Ross and Daniel Whitley.

During the competition, rounds simulate a trial proceeding in which each team, made up of four members, offers opening statements, directs and cross-examines witnesses, and presents closing arguments. Participants are evaluated on distinguished criteria: overall courtroom presence, command of the Federal Rules of Evidence and Federal Rules of Civil Procedure, team work, timeliness and accuracy of objections.

In the national competition, the top three placing teams from each of the six regional competitions faced off for first place honors.

Distinguished Bankruptcy Law Student

The American College of Bankruptcy recognized UK Rosenberg Law student Marina Danielle Kirtland as its Sixth Circuit 2020 Distinguished Law Student.

The program identifies law students of demonstrated talent and interest in bankruptcy law. Candidates must be nominated by a member of the American College of Bankruptcy or their law school. The students undergo an evaluation process that includes interviews, submission of written materials and a review of the candidate's academic standing. All nominated students are considered by the circuit council of their circuit, which selects the Distinguished Law Student. Professors Christopher G. Bradley and Christopher W. Frost supported Kirtland's nomination.

"I never imagined that I would win this award," Kirtland said. "It's certainly quite the honor. To be able to start establishing myself in the field at such an early part of my career is meaningful. It is particularly meaningful when considering the uncertainty surrounding COVID-19 and its impact on businesses and individuals."

Kirtland hails from Catlettsburg, Kentucky, but plans to move to Nashville, Tennessee after graduation to join Waller Lansden law firm for corporate finance and business restructuring.

National Moot Court Competition

The UK Rosenberg Law Moot Court Team placed second overall at the Region 4 competition of the New York City Bar Association's National Moot Court Competition in Richmond, Virginia, and advanced to the national competition in New York City. Moot Court President Rachele Yohe, Moot Court Vice President Alexander Pabon, and Drew Baldwin represented UK at the national competition. Richie Simpson, Rowan Reid and Emily Pence traveled as alternates.

Both the regional and national competitions test law students' expertise in oral argument and brief preparation. Almost 20 years have passed since the UK Moot Court Team has advanced to the national competition.

"It is really something to have judges and lawyers repeatedly tell you that you are as good as, if not better than, a lot of lawyers practicing today," Yohe said. "I think at least one judge from every round shared that with us and the other competing team, and that is absolutely inspiring to know that we are on our way to becoming great lawyers and advocates."

The New York City Bar Association Moot Court Competition hosts 15 regional competitions annually. UK sent two teams of three students. UK was one of only two schools that had both teams advance to finals of the regional competition.

"The team has gotten so close so many times and to be able to finally push through to the national competition in New York feels like we're carrying on a legacy of the people who poured into us," Pabon said.

UK Rosenberg Law's Rachele Yohe Celebrates Longtime Dream

Growing up in Lexington, Kentucky, Rachele Yohe watched Law & Order, Blue Bloods, and NCIS, and dreamed about becoming a lawyer.

None of her relatives were lawyers. But when they asked 7-year-old Rachele what career she wanted when she became an adult, she told them about her goal. She told everyone who would listen.

A self-described "total nerd," Rachele not only admired TV lawyers but also read about influential American lawyers in the history books from her personal collection.

"I've never been a quiet person. I've always been willing to step out and argue for what I believed in," Rachele said. "It sounds very cliché to say it, but I think being a lawyer was always my calling."

She took Advanced Placement classes at Lafayette High School and, as an undergraduate at University of Kentucky, Rachele majored in political science and philosophy with the law in mind. Even with a double major, Rachele graduated in three years.

"I couldn't wait to get to law school, to be honest with you. I was so excited," Rachele said.

Rachele started law school at 20 years old and discovered, during an event for admitted students, that she was the youngest person in her class. Her youthful age didn't stop her from becoming the 2019-2020 Moot Court Board president – and leading the team to nationals for the first time in decades – and publishing an article online for the Kentucky Law Journal.

Law may have been her calling, but Rachele did not know which law school she would attend even as an undergraduate at UK. After her sister enrolled at Northern Kentucky University for undergraduate studies, Rachele considered heading there for law school.

One tour swayed her to stay in Wildcat blue. She met the Admissions staff, talked to law professors and attended a mock class.

"I really loved all the people at UK. That is what drew me to the school," Rachele said. "From that tour on, I was sure I wanted to be at UK."

Rachele has no regrets.

"If you asked me who my favorite professor was, I'd probably be able to narrow it down to four," Rachele said, laughing. "It is the most welcoming environment I've ever been in. Everyone is really invested in each other. There is a lot of camaraderie between the students."

Rachele and her classmates started law school in temporary locations as the UK College of Law—which recently became the UK J. David Rosenberg College of Law—was gutted and transformed into the modern, collaborative space that opened in August 2019.

"Bringing all of us together and having our own space really kind of solidified how perfect it all was," Rachele said.

She recalled the beautiful building during a phone interview from her home just hours before taking her last final exam. UK and UK Rosenberg Law transitioned to online learning as the coronavirus outbreak changed lives everywhere.

"It was definitely an unexpected process. My biggest disappointment came from all the activities that were ultimately canceled," Rachele said, noting the Moot Court Board banquet and, of course, graduation.

She appreciated the fun, virtual activities planned by the Student Bar Association, the phone calls from faculty and staff, and the work faculty did to transition classes to an online format.

In the unexpected turn of events, Rachele was looking forward to a small, family cookout to mark the completion of law school.

"When I finish my exam today, it's going to be a little bittersweet," she said.

For almost two years, Rachele has worked for Bullock & Coffman, LLP, in downtown Lexington.

"It's a smaller firm, but we do a lot of big law things. We have a lot of big litigation and it's one of those law firms where I get to do just about everything," she said.

Rachele plans to take a break from work this summer to focus on passing the bar exam before deciding on the next steps in her career. After having a plan for most of her life, Rachele said she's OK with a bit of mystery now.

"Most of my life I've had really clear set goals on what I wanted to do. I wanted to go to law school, I wanted to practice X," she said, adding that UK Rosenberg Law made her consider areas of the law she never dreamed about as a kid watching legal dramas. "But I like that for the first time, I'm going to have the degree and I'm really open to doing just about anything and seeing where it all takes me."

In high school, Rachele was into politics. Before law school, she wanted to be a criminal law prosecutor. Now, she finds it all interesting, something she attributes to her professors at UK Rosenberg Law.

"Maybe I'm a little sentimental, but it always felt very much like family," Rachele said. "I loved going to school all the time. Yes, it was a lot of work and we would tease each other … but I wouldn't have chosen to go anywhere else.

KLJ Editor-In-Chief Kyle Schroader Thrives at UK Rosenberg Law

University of Kentucky J. David Rosenberg College of Law graduate Kyle Schroader of Hartford, Kentucky, recently recalled how out of place he felt when he started law school.

"I didn't know how it all worked," he said. "You're entering a world where there are a lot of people whose entire families are lawyers. There are a lot of people who understand the system. So, it was hard for me, coming from a pretty blue-collar family in rural Western Kentucky, to enter this world of big law firms and clerkships and old money and things that I didn't know a lot about."

Kyle said the culture shock was his biggest obstacle because he felt like he was entering a foreign world. Soon, Kyle didn't just fit in; he thrived. He got summer jobs working for Stites & Harbison PLLC in Louisville, and he became editor-in-chief of the Kentucky Law Journal.

Now, as a law graduate, Kyle will complete a federal clerkship before moving forward with a job in the torts group at Stites & Harbison.

"It's weird because criminal law is a personal interest," Kyle said. "But I feel like tort law, that area, is what I professionally enjoy doing."

Kyle's mother was murdered in a domestic violence incident when he was very young. As he got older, he started thinking about careers as a criminal law attorney. Kyle said he took a class in high school that included a mock trial and it seemed like a natural fit. He loved history, social studies and government classes, and he wanted to help people.

"I was really interested in the events that affected my life even though I didn't really remember them," Kyle said.

In college at University of Louisville, Kyle studied political science and history with a minor in women's and gender studies.

Kyle said a session with representatives from the Career Development office during an open house at UK persuaded him to come to Lexington, Kentucky, for law school. In addition, Kyle had family in Lexington.

"I felt like no one was giving me a charade or anything," he said. "It just felt like everyone was there to help the student, and it seemed like all the professors cared about their students and were invested in my future."

Kyle said he took several criminal law classes and enjoyed them, but his favorite class during his first year as a law student was torts. He ultimately decided that was his professional calling.

"It's the type of class where you can actually start seeing the law in real life," he said. "You'll be walking down the street and you'll see something and think, 'Oh my gosh, that's potentially negligent.'"

When asked what he'll remember about his time at UK Rosenberg Law, Kyle said he would remember taking classes in various buildings on campus during his first two years while the law building, which opened in August 2019 after a two-year renovation, was under construction.

One of his fondest memories from law school was becoming editor-in-chief of the Kentucky Law Journal, overseeing more than 50 students and working with authors from across the country.

"That was a great experience," he said. "I didn't really know exactly what I was getting into when I decided to run for that. But once I got it, it was a great leadership experience."

As KLJ editor-in-chief, Kyle oversaw the first KLJ Symposium – an annual event – in the renovated building. The symposium explored diverse perspectives on controversial American monuments and statues.

"That was a really cool experience to get all those scholars in and hear about a topic that has been such a big deal in Kentucky, especially in Lexington with the monuments that were removed downtown."

Finally, Kyle said he would never forget the hours he spent studying with the same two classmates. He said it was one of the hardest things to give up when classes went online because of the coronavirus pandemic.

Kyle said a lot of his 3L friends left Lexington when the university closed buildings on campus.

"I got through it, but it was definitely a big disruption," he said.

Kyle was disappointed that he didn't get to say goodbye to his peers, professors and others at the college. His family celebrated together but there was little to mark this summer as being different from other summer breaks.

Kyle said anyone thinking about going to law school should make sure they're passionate about it because it is a huge commitment.

"I would tell them to evaluate their own study habits and how they approach school because law school is life consuming in every way," he said.

As an undergraduate, Kyle had a part-time job and a position on the leadership council of his fraternity, and he volunteered.

"All the time I spent on everything in undergrad was all combined into attending school and studying in law school," he said.

Still, Kyle loved being a law student. He said he loved his professors and enjoyed going to school with people he will work with in the community later in life. Kyle said he got his dream jobs – including KLJ editor-in-chief, a position at Stites & Harbison, and a federal clerkship – and he would do it all over again.

"I had a great time," he said. "I was a huge U of L guy before I went to law school, and I still love U of L.
But UK Law has a special
place in my heart."

Alumnus J. David Rosenberg

Interim Dean Mary J. Davis

Kentucky Gov. Andy Beshear

UK Rosenberg Law Celebrates Class of 2020 with a Video Tribute

University of Kentucky President Eli Capilouto and Kentucky Gov. Andy Beshear joined UK J. David Rosenberg College of Law faculty, staff and alumni to celebrate the Class of 2020 in a video released on May 8.

The commencement ceremony on May 8 was canceled because of the coronavirus pandemic and social distancing restrictions. However, UK Rosenberg Law Interim Dean Mary Davis said she plans to one day shake each student's hand in person and look them in the eye as she congratulates them.

"It is your graduation day and even though I'm not physically with you, I am with you in spirit," Davis said in the video.

Dressed in graduation regalia for a video recorded on the front porch of her home, Davis recalled the first day for the students of the Class of 2020 and reminisced on their three-year journey with peers and faculty "who are forever part of your story."

"It's the most exciting day in the life of law school," Davis said. "We get to celebrate you. We get to think about your futures and all the wonderful things you've accomplished."

UK Rosenberg Law Dean David Brennen was on leave this academic year to participate in the prestigious American Council on Education's Fellows Program. Brennen also announced earlier this year that he would not return as dean.

In the video, Brennen congratulated the last

class to graduate during his 10 years as dean of the UK College of Law.

"Your class has had a pretty wild ride," he said. "When you arrived in 2017, we had no building and then as soon as we got a new building, the pandemic happened, and you could only spend part of the year in the new facility."

The law building on South Limestone in Lexington, Kentucky, reopened in August 2019 following a two-year, $56 million renovation.

"Despite these challenges, we are honored that you will always be a part of the great tradition of UK Law," Brennen said. "Our faculty and staff are second to none and this pandemic has brought out the best of them on your behalf. ...Each of you, as a result, should be well prepared to enter the legal profession very soon."

Capilouto also referenced the sacrifices made by the Class of 2020.

"You have been trained by a world-class faculty, and I know they are missing the opportunity to celebrate with you today," he said. "But they have prepared you to serve your community with integrity and join the ranks of prestigious Rosenberg College of Law alumni who lead as attorneys, judges, governors and legislators, as corporate, non-profit and education professionals across the country."

In December 2019, the UK Board of Trustees voted to accept a gift commitment of $20 million from J. David Rosenberg and his wife, Dianne, and officially rename the College of Law as the University of Kentucky J. David Rosenberg College of Law.

Rosenberg is a 1974 graduate of the UK College of Law and serves as senior partner at the law firm of Keating Muething Klekamp PLL in Cincinnati, Ohio.

In the video, Rosenberg congratulated the graduates on entering a profession that has given him much satisfaction for more than four decades.

"College of Law Class of 2020, you are among the most highly educated citizens of the world," Rosenberg said. "I can only imagine the impact you will have in the decades to come in advancing justice, the rule of law, and the wellbeing of the citizens of your community, our nation and the world."

Beshear, who served as Kentucky's attorney general before he became governor, congratulated graduates from the capital of Frankfort, Kentucky.

"I know personally what a big step this is, and I know that your law degree can take you in so many directions. I'm excited for everything that each of you is going to do and what you are going to contribute to our great Commonwealth," Beshear said.

He said celebrating virtually meant keeping people safe and saving lives.

"My hope is that this experience that we are all going through brings all of us closer together, reminds us to be good neighbors, and that we continue to carry the spirit of compassion forward," Beshear said. "So, whichever direction you're going with your law degree, find ways to give back. Let's help our fellow human being. Let's come out of this pandemic even better people, and I know that you all are going to lead the charge and help us build that better world."

More than 20 UK Rosenberg Law faculty and staff appeared in the video. Doug Michael, associate dean of academic affairs, moved a pink Energizer Bunny with a drum across the screen as he told the graduates to "just keep going."

A few faculty members dressed in graduation regalia, including Professor Jennifer Bird-Pollan who also donned 2020 celebration glasses.

Both Danny Murphy, senior assistant dean of community engagement and operations, and Professor Josh Douglas recruited their young sons to help congratulate the class.

Professor Kathryn Moore poured a toast.

Beau Steenken, instructional services librarian and associate professor of legal research, recorded his tribute in front of a virtual background of the Law Library.

"We know this isn't exactly how you anticipated ending your law school career," Professor Cortney Lollar said. "But don't let the lack of a proper ceremony – the kind of ceremony that you deserve – take anything away from the amazing accomplishments you've achieved over the last three years."

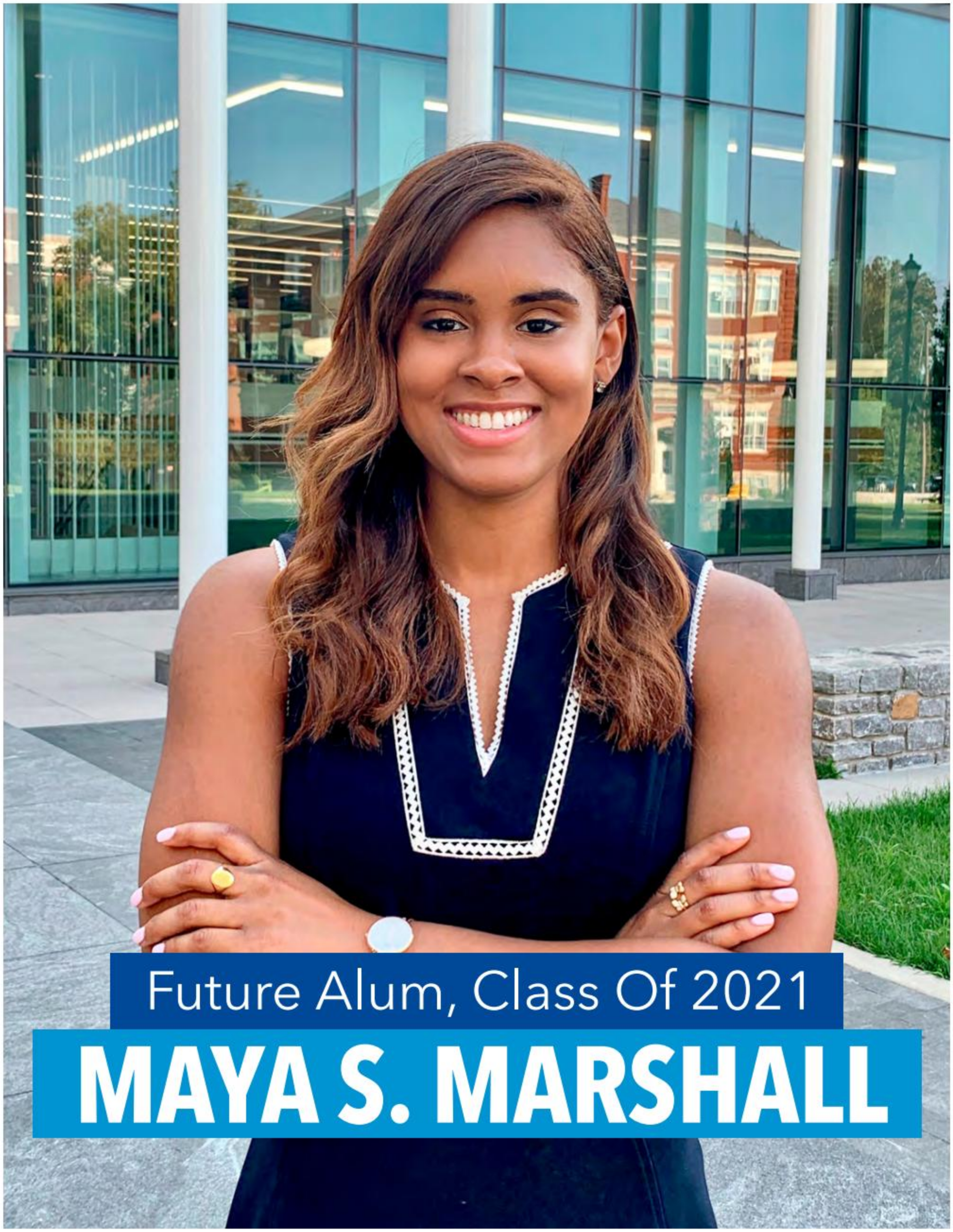
The video ended with a photo of each student in the graduating class.

> "College of Law Class of 2020, you are among the most highly educated citizens of the world. I can only imagine the impact you will have in the decades to come in advancing justice, the rule of law, and the wellbeing of the citizens of your community, our nation and the world."
>
> J. David Rosenberg

Professor Jennifer Bird-Pollan

Dean David A. Brennen

Professor Christopher W. Frost


Future Alum, Class Of 2021
MAYA S. MARSHALL

> “Being recognized for the way in which I carry myself and treat others will always be more important to me than the recognition received for any athletic, academic, or career-based achievement. My character is a reflection of who I am to my core, so it was very heartening to be recognized in such a manner.”
>
> Maya S. Marshall

TELL US ABOUT YOUR BACKGROUND AND LIFE BEFORE LAW SCHOOL.

I spent most of my childhood in Marietta, Georgia. From a young age, my parents instilled in my brother and me the importance of hard work and community involvement. These teachings shaped my core beliefs and perspective of the world. In 2018, I graduated from Boston University with a Bachelor of Science degree in Communication and a minor in Political Science. During my undergraduate career, I was a scholarship student-athlete on the BU Women's Track and Field Team, served as a leader of the Black Student Union's Umoja Bible Study, served as a group leader for the Terrier Peer Athletic Leaders Program, and worked as an office assistant in the Dean's Office of the BU School of Law.

WHEN DID YOU FIRST BECOME INTERESTED IN LAW SCHOOL?

Law school was always a career path that interested me, but it wasn't until the summer of my junior year at BU that I realized pursuing my J.D. was something I really wanted to do. Although I wasn't exactly sure how I wanted to use my degree, I understood that obtaining a J.D. would help me have a larger impact on society and the communities I wished to uplift.

WHAT DO YOU LOVE MOST ABOUT THE UK ROSENBERG COLLEGE OF LAW?

The thing I like most about UK Rosenberg Law is the support students receive from the faculty and administration. Throughout my time in the College of Law, I have been impressed with the number of faculty members who have shown a genuine interest in the success and well-being of each student in their course. I am extremely grateful to be in an environment where many of the members of the faculty and administration make it a priority to support students in a capacity that ensures their overall success and well-being.

WHAT ACCOMPLISHMENTS ARE YOU MOST PROUD OF?

One accomplishment that I am extremely proud of is receiving the Boston University Outstanding Service Award. This honor is awarded to one Boston University undergraduate student on the basis of leadership, responsibility, and achievement, highlighting the impact the student had on the campus workforce. Although I felt very honored to be selected as the sole recipient of this award when there were over 2,500 student employees on Boston University's campus, the accolade itself is not why the award is so meaningful to me. To complete a nomination, a supervisor was required to attach a letter of recommendation that described the rationale behind his or her nomination. In my recommendation letter, my supervisor in the Dean's Office of BU's School of Law articulated my reliability, quality of work, initiative, and professionalism; however, the thing that meant the most to me was her illustration of my character. Being recognized for the way in which I carry myself and treat others will always be more important to me than the recognition received for any athletic, academic, or career-based achievement. My character is a reflection of who I am to my core, so it was very heartening to be recognized in such a manner.

WHAT ARE YOUR CAREER GOALS?

Two of my broader career goals are to never become complacent and to always look for ways to improve my skills and practices. Attacking every day with these goals in mind will undeniably allow me to become an invaluable asset and leader to any firm or company I choose to work for.

WHAT ADVICE DO YOU HAVE FOR UNDERGRADUATE STUDENTS THINKING ABOUT GOING TO LAW SCHOOL?

I would advise all undergraduate students interested in going to law school to leverage the services of their university's career center. Many of these offices provide seminars, workshops, and counseling on the law school admissions process. A university's career center is a free resource to students that provides extremely valuable information.

WHAT EXPERIENCES HAVE SHAPED THE WAY YOU APPROACH THE CHALLENGES YOU'VE FACED WHILE PURSUING YOUR LAW DEGREE?

During the spring semester of my junior year at BU, I had to leave school with six weeks left in the semester to be with my mother during the last month of her life as she battled cancer. This period in my life taught me the importance of managing my outlook. I realized that the only thing I could always control during difficult times was my mindset. I now walk through life with the understanding that all of my hard times are simply opportunities for growth. This perspective has allowed me to remain focused and positive throughout my time in law school. Rather than dwelling on the workload or any adverse outcomes I may have experienced, I often redirected my focus to the ways in which these situations would help me grow. Understanding that all of my opportunities are a product of the adversity I face has helped propel me through law school with peace of mind, positivity, and clarity.

UK Rosenberg College of Law Students Prioritize Giving Back

Paying It Forward

University of Kentucky J. David Rosenberg College of Law students have embraced community service as an essential part of their education. In the fall 2019, among other activities, students made sandwiches for the hungry, collected pennies for families in need, and delivered school supplies to one of the poorest counties in the country.

On Thanksgiving Day, Connor Hicks, a second-year law student, delivered notebooks, pens, warm clothing and other items to the nonprofit Hope Chest in McDowell County, West Virginia, for distribution to students in the area.

Hicks first visited McDowell County as part of an undergraduate internship at the West Virginia University College of Law Land Use and Sustainable Development Law Clinic, before he became a student at the UK Rosenberg College of Law. Hicks said he met the friendliest people there and he wanted to help the community struggling with high rates of poverty and drug overdoses. For two consecutive years, the Rosenberg College of Law community has been eager to help with the effort, Hicks said. He has received support from fellow students, student organizations—including the Appalachian Law Caucus and The Federalist Society— faculty and staff.

"One of the core values at UK Rosenberg College of Law is to prepare our students to be responsible members and leaders of the communities in which they live. I am always proud to see our students, faculty and staff embracing community service as an important part of legal education almost equal to classroom and practical skills training," said Daniel P. Murphy, Jr., senior assistant dean of community engagement and operations.

In September, Rosenberg College of Law's Legal Clinic partnered with the Student Bar Association for trivia night at a local pub. The Student Bar Association collected team entry fees and seven complete turkey dinners were purchased and delivered to Legal Clinic clients before the holidays.

In the same month, the Black Law Students Association (BLSA) partnered with the Women's Law Caucus for a Making Strides Against Breast Cancer walk and fundraiser.

"We want to make sure that everyone can give back to the community no matter how much money they have or how much time," said Asia Ellis, 2019-2020 BLSA president.

Ellis said BLSA intends to organize at least one community service project each month, and the group plans to work with other student organizations as often as possible. Students made 140 sandwiches for a homeless shelter in downtown Lexington, Kentucky, in October. In November, BLSA organized Penny Wars, which challenged the law community to donate as many pennies as possible to help families in need over the holidays. BLSA's Penny Wars raised $1,041.73. The money was donated to three families with a combined nine children. This spring, BLSA wants to host a blood drive and organize an after-school meal program.

"It's important now, early on, to establish that it's important to give back," said Darrian Botts, a second-year law student and BLSA public relations chair. "If you do that early on, you're going to be more likely to do it later on."

Botts said community service work has helped her get to know the people outside of the law building and, in turn, the community gets to know the law students.

Taylor Kennedy, a second-year law student and BLSA's programming and events chair, said it is crucial that law students get involved in communities where their expertise as attorneys might be needed in the future.

"I know growing up, people were afraid of attorneys—and talking to them—and definitely felt that people in these professional positions had their noses in the air and weren't interested in giving back or paying it forward," Kennedy said. "I don't think that's a fair stereotype, and I want to do as much as I can to break those kinds of things down."

Kennedy said listening to diverse groups of people throughout the community has taught her more about how the law intersects with the community's needs.

"For lawyers, there are so many things we can do in our field," Kennedy said. "Community service works in two ways. You're helping people, which is great, but they're also helping you, which also feels great. It benefits both sides."

KLJ SYMPOSIUM

EXAMINES CONTROVERSIAL AMERICAN MONUMENTS

The annual Kentucky Law Journal Symposium at the University of Kentucky J. David Rosenberg College of Law explored diverse perspectives on controversial American monuments and statues.

The theme – Written in Stone: American Monuments and Monument-Protection Law – got its name from a book written by Sanford Levinson of The University of Texas at Austin School of Law, who provided the opening keynote presentation at the symposium held in the G. Chad Perry III Grand Courtroom of the law building in November. The first edition of his book, *Written in Stone: Public Monuments in Changing Societies*, was published in 1998 followed by a second edition 20 years later.

Levinson addressed the reasons monuments and statues of individuals are erected and why those reasons often backfire. A monument is meant to celebrate and honor someone in perpetuity, but people walk by a vast number of statues without knowing the history. A few statues, such as those of George Washington and Thomas Jefferson, are recognizable to the larger public and not just history buffs, Levinson said.

Levinson addressed the question of who gets to decide which individuals should be honored with statues and monuments. He pointed to influential American statesman John C. Calhoun, a supporter of slavery, as someone with a complex history.

"I don't have an answer to the question of who ought to make the decisions," Levinson said.

KLJ Editor-in-Chief Kyle S. Schroader said he enjoyed learning more about the context in which many of the statues being debated across the country were erected.

"The UK historians provided maps and data that revealed the time periods in which these statues were erected across the country and discussed the social implications and reasoning behind their placement at the time. It was fascinating," said Schroader, referring to UK history professors who presented at the symposium.

In addition, Melynda Price, John L. Matthews Jr. Professor of Law and Director of the Gaines Center for the Humanities at UK, presented with Anastasia Curwood, Associate Professor of History and Director of African American and Africana Studies at UK, to discuss a 1934 mural in UK's Memorial Hall, which depicts several slaves hunched in a field and has become a subject of debate.

Summer Bablitz, special features editor of the Kentucky Law Journal, said the students enjoyed creating a platform for diverse speakers to look at Confederate monuments through a historical and legal lens.

"I particularly enjoyed Steve Clowney's presentation, which explored the idea of sorority houses as a type of Confederate monument," Bablitz said.

Clowney, a professor at the University of Arkansas School of Law, showed pictures of sorority houses and pointed out similarities in the architecture to antebellum plantations. "I argue that we should view sorority houses as monuments to the Confederacy," Clowney said. He also noted the lack of diversity in sororities and exclusionary practices such as high fees.

During lunch, Judge Robert L. Wilkins of the U.S. Court of Appeals for the District of Columbia Circuit, described the 100-year journey that led to the creation of the National Museum of African American History and Culture in Washington, D.C.

Former Lexington Mayor Jim Gray recalled debate about Confederate statues in Lexington while he was mayor. The statues were eventually moved from downtown Lexington to the Lexington Cemetery.

"There's no perfect time to do the right thing," Gray said. "It's all the time."

Schroader said he hopes attendees of the symposium developed a better understanding of monument conflicts.

"The debate around the movement of monuments is not only rooted in political and social debate but is also heavily governed by the law," Schroader said. "Specifically, I hope the audience was able to see the legal implications between the levels of government involved in the monument removal process and the legal challenges and obstacles those in favor of removal face."

KJEANRL Hosts Sixth Annual Symposium

The Kentucky Journal of Equine, Agriculture, and Natural Resources Law, in conjunction with the University of Kentucky J. David Rosenberg College of Law, hosted its sixth annual symposium on Feb. 28, 2020, in the G. Chad Perry III '51 Grand Courtroom.

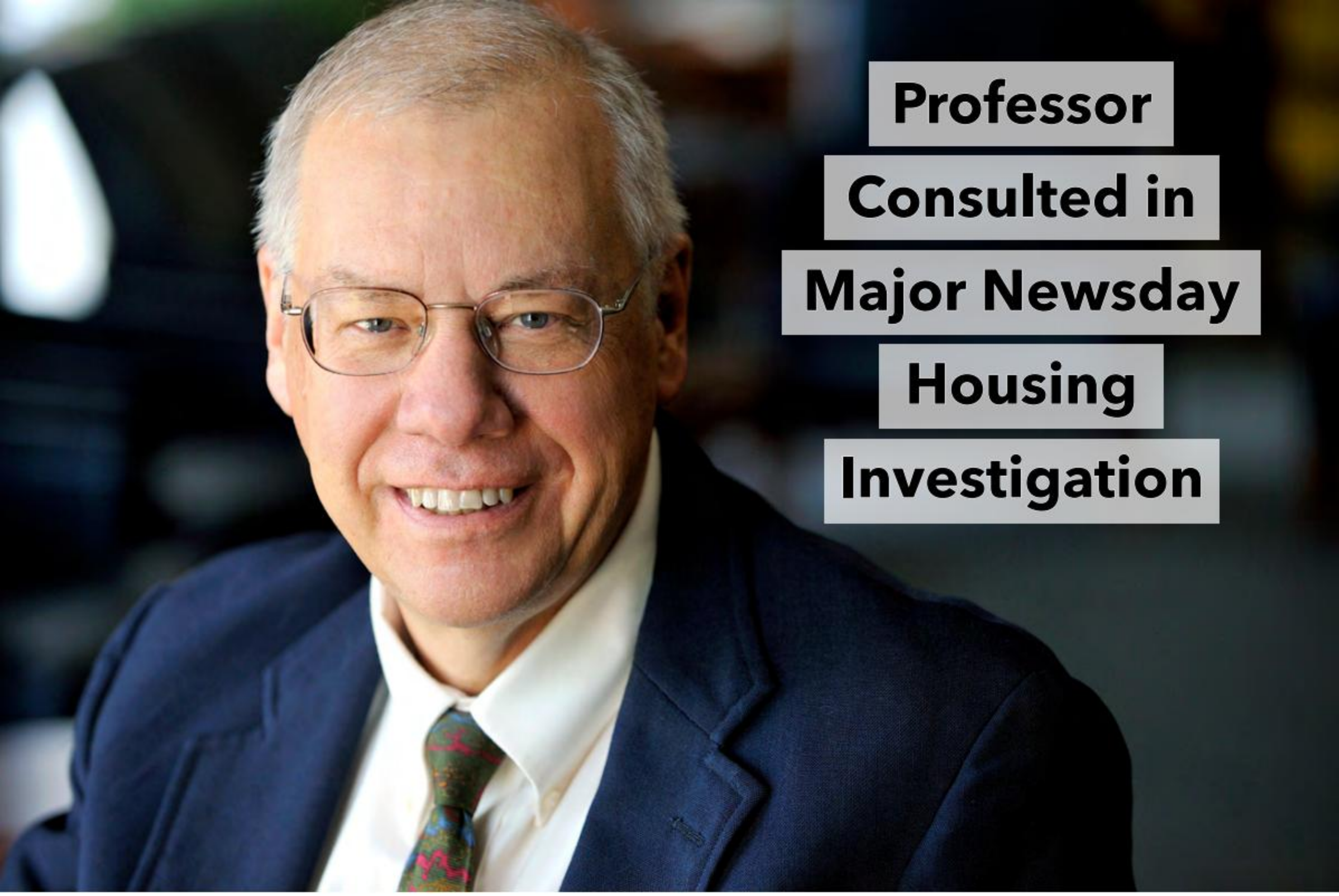
Legal practitioners and professors from across the United States discussed current legal issues affecting the equine, agriculture and natural resource industries as part of the symposium.

Presenters for the all-day event included:

- **Stephen Vaden**, *U.S. Department of Agriculture*;
- **Becky Jacobs** (with **Chelsea Jacobs**), *University of Tennessee College of Law*;
- **A.J. Singleton**, *Stoll Keenon Ogden*;
- Sonja Keating, *U.S. Equestrian Federation*;
- **Julie Fershtman**, *Foster Swift Collins & Smith*; and
- **Lawrence Kogan**, *Kogan Law Group*.

Symposium sessions covered a variety of topics, including legislation affecting the equine industry, Clean Water Act litigation, food law, ethics in succession planning, and federal hemp regulation and trade.

KJEANRL student members coordinated the event, led by Lexington Souers, 2019-2020 editor-in-chief, and Mallie Myers, executive development editor.



Professor Consulted in Major Newsday Housing Investigation

University of Kentucky J. David Rosenberg College of Law Professor Emeritus Robert Schwemm was one of two nationally recognized housing experts consulted during a three-year Newsday investigation of housing practices on Long Island. Newsday is the daily newspaper covering the Long Island area of New York City.

The story, titled "Long Island Divided," was published Nov. 17, 2019, and was accompanied by a 40-minute documentary. Using a technique called paired testing, Newsday found widespread evidence of unequal treatment by real estate agents on Long Island.

According to the story, "Two undercover testers — for example, one black and one white — separately solicit an agent's assistance in buying houses. They present similar financial profiles and request identical terms for houses in the same areas. The agent's actions are then reviewed for evidence that the agent provided disparate service."

Newsday asked Schwemm, UK's Everett H. Metcalf Jr. Professor of Law, and Fred Freiberg, co-founder of the Fair Housing Justice Center, to evaluate the agents' reactions.

Schwemm said housing discrimination is hard to detect, and it is difficult for home seekers to determine whether they are receiving inferior treatment.

"The paired-testing technique used by Newsday is the only way to show whether a real estate agent is discriminating," Schwemm said. "But such testing is expensive and time-consuming; it's beyond the capacity of most individuals and local fair housing groups. Government should be doing more of this, but it's not. In fact, since the 1980s, very little large-scale sales testing has been done. Newsday's investigation is really unique — no other media or private entity has ever done sales testing on this scale."

Schwemm is author of "Housing Discrimination: Law and Litigation." Prior to becoming a law professor, he practiced with Sidley & Austin in Washington, D.C., and then served as chief trial counsel for the Leadership Council for Metropolitan Open Communities in Chicago, Illinois. He is a graduate of Amherst College and the Harvard Law School. Schwemm teaches civil procedure, constitutional law and civil rights at UK.

Newsday conducted 86 matching tests and "in fully 40% of the tests, evidence suggested that brokers subjected minority testers to disparate treatment when compared with white testers with inequalities rising to almost half the time for Black potential buyers," the newspaper reported.

"From the beginning, we knew this could be an important project," Schwemm said. "So, it was challenging and exhilarating. But we also knew it had to be done right and with careful attention to details. That took a lot of time."

Schwemm said he was not surprised by the findings, but that they are disappointing. He said similar results would likely occur in other large metropolitan areas.

"Fifty years after the passage of the Fair Housing Act, it's just unacceptable that so many licensed real estate agents continue to give minorities, particularly Blacks, inferior treatment," he said. "It's the key reason that our nation remains so segregated, and residential segregation is now seen as a main obstacle to all other civil rights goals, including integrated education and full equality of opportunity."

He said stronger fair housing enforcement is needed, and the Newsday report has resulted in some local government action in New York.

"As a result of Newsday's report, the New York State Senate has already held a hearing and is considering imposing tougher sanctions on agents who discriminate," Schwemm said. "Hopefully, other areas will follow suit. But without a local investigation like Newsday's, that remains to be seen."

For more information and the complete Newsday investigation, visit https://projects.newsday.com/long-island/real-estate-agents-investigation/.

Professor Joshua A. Douglas Receives 2019 Duncan Teaching Award

Joshua A. Douglas, Thomas P. Lewis Professor of Law, is the recipient of the 2019 Duncan Teaching Award at the University of Kentucky Rosenberg College of Law.

Every year, a UK Rosenberg Law faculty member is recognized for excellence in the classroom, courtesy of the Robert M. and Joanne K. Duncan Faculty Improvement Fund, which was established in 1982 to promote outstanding teaching performance at the college. Recipients are selected by the dean with emphasis placed on student evaluations.

"Josh is dedicated to his teaching," said Mary J. Davis, interim dean of UK Rosenberg Law and Ashland-Spears Distinguished Research Professor of Law. "He challenges his students and makes time for them, and they appreciate these qualities. He works hard to continue to excel at teaching and his student evaluations bear this out."

Douglas specializes in election law, voting rights, constitutional law, civil procedure and judicial decision-making. He teaches Election Law, Constitutional Law II, Civil Procedure I and Supreme Court Decision Making.

"He regularly gives his students the opportunity to do outside-of-class written work, particularly in the first year, which impresses me," Davis said. "And he spends the time to review and critique it."

In addition, Douglas assists students outside the classroom through the Judicial Clerkship Advisory Group, which he created. Douglas is also founder and initial chair of the Association of American Law Schools' Section on Election Law.

"His work with the Election Law Society is also evidence of his passion for being a great teacher and supporter of our students, in and out of the classroom," Davis said.

The Election Law Society consists of current UK Rosenberg Law students, and Douglas serves as the faculty advisor.

Douglas is the author of *Vote for US: How to Take Back our Elections and Change the Future of Voting*. He has published in top journals, including *The Georgetown Law Journal*, *University of Pennsylvania Law Review Online*, *Vanderbilt Law Review*, *Washington University Law Review*, *William & Mary Law Review*, *Indiana Law Journal* and the *Election Law Journal*. His article *Procedural Fairness in Election Contests* was a winner of the 2011-2012 SEALS Call for Papers.

Douglas is co-author of an Election Law case book (Aspen Publishers 2014) and co-editor of *Election Law Stories* (Foundation Press 2016). Douglas' media commentaries have appeared in newspapers across the country, including *The New York Times*, *Los Angeles Times*, *The Washington Post* and *USA Today*, and he appeared live on CNN on Election Day 2016.

Prior to joining the law school, Douglas clerked for the Honorable Edward C. Prado of the U.S. Court of Appeals for the Fifth Circuit and practiced litigation at the law firm Akin, Gump, Strauss, Hauer & Feld. Douglas earned his J.D. from George Washington University Law School.

Law Professor Blanche Bong Cook Convenes Community Panel to Discuss Netflix Drama About Sexual Assault

In the fall 2019, a panel of community leaders and experts convened at the UK Rosenberg College of Law to discuss a Netflix drama about a teenager who reports being raped and two detectives who search for the truth.

Blanche Cook, Robert E. Harding Jr. Associate Professor of Law, specializes in criminal law and procedure, evidence, trial advocacy and sex trafficking. The show served as a catalyst to raise awareness about sexual assault and educate the public about the things that can go wrong during sexual assault investigations and prosecutions.

"We want our students and our community to know that sexual assaults are severely under-prosecuted and under-investigated crimes," Cook said. "For every 100 rapes or attempted rapes reported to the police, 19 cases lead to arrest, five cases end in guilty verdicts through plea deals, and one case ends in a guilty verdict through trials. As future lawyers, as a legal community, and as general members of a concerned public, we must do better than this."

The panel, held in the G. Chad Perry III Grand Courtroom in November, included Jenna McNeal Cassady and Rewa Zakharia, prosecutors in the Office of the Fayette County Commonwealth's Attorney, who talked about changes being made in Fayette County to improve sexual assault investigations.

Cassady grew up in a small town, just like the character in the Netflix show, and was sexually assaulted at age 16 by a man in his 40s. Cassady said she "immediately became a whipping post" in her community.

Kentucky recently enacted "Jenna's Law," which creates a third-degree rape charge and helps protect 16- and 17-year-old victims sexually assaulted by someone more than 10 years older. Protections were already in place for victims under age 16.

In the Netflix show, the victim was forced to tell her story repeatedly to different officials throughout the investigation. In Fayette County, Zakharia said, a detective from the special victims unit stays with the case from beginning until the end, which is a step in the right direction.

The other panelists were UK faculty members TK Logan and Jennifer Cole, both of the Department of Behavioral Sciences in the College of Medicine; Lexington Herald-Leader columnist Linda Blackford and Sexual Assault Nurse Examiner program manager Anita Capillo.

The panelists discussed the impacts of blaming sexual assault victims who report crimes, the danger of assuming victims should react a certain way to sexual assault, and training programs for law enforcement.

"We've come a long way ... but we still have a long way to go," Logan said. "If someone reports to you, how you respond makes all the difference in the world."

UK Receives Knight Foundation Funding for Research on Internet Governance

The University of Kentucky is one of 22 universities, think tanks and advocacy organizations that received funding from the John S. and James L. Knight Foundation in support of new, independent research intended to inform federal policy affecting the future of the internet. UK received $100,000 to fund research by Ramsi Woodcock, an assistant professor in the Rosenberg College of Law with a secondary appointment in the Department of Management in the Gatton College of Business and Economics.

The Knight Foundation provided more than $3.5 million for the study of diverse, timely topics including content moderation by social media companies, antitrust enforcement in big tech and the pervasive problem of disinformation online.

"These issues are moving faster than we can evaluate and analyze them. We need to close the knowledge gap, if our society is going to make smart decisions about how to ensure technology strengthens democracy rather than weakening it," said Sam Gill, vice president at the Knight Foundation. "Knight is investing in and supporting this research to ensure that a diverse range of views and a body of real evidence informs urgent policy debates. How we answer the questions of today will shape the American democracy of tomorrow."

UK joins universities such as Harvard, Duke, UCLA and Stanford in providing research-based information that will help meet the urgent needs of federal lawmakers and other decision-makers as they shape the future of the internet.

Woodcock's research focuses on how the internet is changing the balance of bargaining power between firms and the individuals who use their services, and what the law can do to maintain a fair balance.

"The nation is facing a crisis in internet governance along multiple dimensions," he said. "We have privacy problems, ranging from data breaches to exploitation of data on users by Google and Facebook to inform targeted advertising, personalized pricing and more. We have the problem of how to balance free speech on the internet with regulation of hate speech, attempts to influence our elections by foreign governments, and the like. We have the problem of how to fund journalism in an age in which the advertising revenues newspapers once relied upon are now being captured by Google, Facebook, and Amazon. And then we have problems of market concentration and monopoly, exemplified by Google's large market share in online advertising, Facebook's large market share in social media, and Amazon's growing market share in online commerce."

Woodcock proposes distributive justice, meaning fairness in the distribution of goods and wealth, as a possible unifying framework for resolving many of these issues.

"The internet has created vast economic benefits in a number of industries but has also disrupted old ways in which benefits were distributed within those industries," Woodcock said. "The solution to many problems of internet governance today lies in finding ways to structure the internet to distribute those benefits more equitably. I am delighted the Knight Foundation has chosen to support this emerging approach to internet governance and to recognize the University of Kentucky's ability to advance this research."

Woodcock is one of the foremost junior legal scholars in the United States writing about antitrust and technology, and a pioneer of the distributive perspective on the internet. In addition to supporting Woodcock's research, the Knight Foundation funding will support his organization of a major conference on the distributive justice perspective on internet governance. The conference will bring together scholars in law and economics from around the world who have been developing this approach.

"This Knight Foundation grant recognizes the scholarly excellence and promise of our faculty colleague, Ramsi Woodcock, in a league with the best law scholars in the country," said Mary Davis, interim dean at the UK Rosenberg College of Law. "We look forward to hosting this groundbreaking conference."

According to a news release announcing the Knight Foundation effort, the institutions receiving new Knight support were selected through an open funding opportunity to expand fundamental research on the norms, rights and responsibilities that govern digital services, in particular, social media. The funding opportunity is ongoing.

The investments are part of Knight's recently announced $50 million commitment to support research on how technology is transforming our democracy and the way in which people are informed in the digital age. The foundation committed nearly $45 million to support long-term research at American universities, research institutions and think tanks.

KATHY JOHNSON AND KNIGHT FOUNDATION

THE UNIVERSITY ENDOWMENT
and the Global Pandemic

CLOSING FACULTY THOUGHTS BY JENNIFER BIRD-POLLAN

The COVID-19 global pandemic has had dire consequences not just for the physical health of people all over the world, but also for the financial health of the world's economies. Institutions of higher education have not been immune to these consequences. Most private universities have long had tuition-driven budgets, and with the decreases in state funding of public universities, state schools have become increasingly tuition-driven as well. As universities refunded housing and dining contracts in the Spring 2020 semester, and faced the threat of significantly declining enrollments in Fall 2020 and beyond, administrators were forced into increasingly difficult situations. Many colleges and universities have had to slash their budgets, which has resulted in cuts to research funds, fewer student scholarships, and faculty and staff pay cuts, furloughs, and even layoffs. All of this makes sense if you think of the university as funded primarily by tuition and fee-for-services arrangements. However, many universities have access to another significant asset: the university endowment.

University endowments have existed as long as institutions of higher education have been around. Comprised primarily of private donations by alumni or other interested donors, the richest U.S. universities have endowments worth tens of billions of dollars. The work of maintaining and investing these endowments is a profitable business. In addition to in-house lawyers and investment advisors working at the universities themselves, echoing strategies adopted by their for-profit investing counterparts, many universities hire outside counsel and outside advisors to help maximize the power of the endowment. In many ways, management of the endowment mirrors the work of a traditional investment firm, with a primary focus on profit-maximization, unconnected to the educational mission of the university. However, university endowments have one important distinction from private investment firms: all investment income earned by the university endowment is tax-exempt.

As educational institutions qualifying as tax-exempt entities under section 501(c)(3) of the Internal Revenue Code, non-profit institutions of higher education (which includes almost all private and public colleges and universities in the United States) do not pay income tax, except in some very limited circumstances. This tax exemption allows them to collect tuition, room and board fees, and even athletic event ticket fees without paying tax on any of that income. In addition, the exemption allows universities to receive investment income on endowment investments without being subject to tax. The rationale for the income tax exemption for charitable organizations, including educational institutions, has a long history. Because these entities provide services that might otherwise be provided by the government, and because they do not have private shareholders who profit from the entity's income, the government provides a valuable tax exemption to these entities. History provides us with examples of non-profit entities losing their tax-exemption if they stop complying with the requirements of the law or otherwise abdicate their charitable mission. In other words, the justification for not taxing universities depends upon those universities continuing their charitable purposes. And it is that tax exemption that allows universities to continue to accumulate income in their endowments without having to pay tax on that income.

Most universities have an endowment spending policy that limits annual spending out of endowment funds to some fixed percentage, usually around 5% of the total value. Because of limitations imposed by donors, some endowment funds can only be spent in limited ways, perhaps by a particular university department, or in support of a particular line of research or student scholarship. However, much of the endowment could be accessed by the university to help fund its broad missions of education, research, and service. Universities regularly think of their endowment funds as sacrosanct, and act as though the primary mission of the endowment is the further growth of the endowment itself. But endowments are in place to bolster the charitable mission of the university, which is part of why the income from the endowment is exempted from tax. Growth for growth's sake can't be the goal of the endowment if the endowment is to keep its tax exemption.

Just as many of us have savings or investment accounts we think of as our 'rainy day' funds, universities should think of their endowments as, at least in part, rainy day funds. And there hasn't been a rainier year in the United States in recent memory than 2020! Rather than think of the endowment as primarily a growth tool, where the corpus must be maintained, and spending is done only out of the income, in times of extreme need, such as those we face during this global pandemic, universities should view the endowment as a tool to allow them to continue their charitable purposes. Indeed, thinking of the endowment in this way honors the intentions behind the donors' gifts that make the endowment possible in the first place. Education, research, and service to the community are at the heart of all universities' missions. While financial health is necessary to maintain those missions, the university need not always maximize its profit through investing the endowment. On the contrary, the university should prioritize its charitable mission, even if that means spending down the endowment in times of crisis, in particular if the alternative is turning away students who are dependent on scholarships, or firing faculty or staff, reducing the university's capacity to fulfill its mission.

The crises created by COVID-19 have forced us to reconsider many of our old habits. We may never go back to shaking hands or blowing out birthday candles. We have new habits around face coverings and hand sanitizer. It's time also to reconsider how we think about university endowments. Donors contribute to endowments in order to bolster the well-being of the university and its constituents. Respecting those contributions requires that, in times of financial trouble, administrators look to the endowment to protect the university's ability to continue its fundamental charitable mission.

FACULTY NOTES

Scott R. Bauries has been selected as co-leader with **Danny Murphy**, senior assistant dean of community engagement & operations/chief diversity officer, of a University of Kentucky team exploring policies that reflect the university's values on responsible speech and a culture prioritizing diversity and inclusion while respecting constitutional and legal protections of speech. UK Rosenberg Law Professors **Melynda Price** and **Brian Frye** are serving as members of this team.

David A. Brennen was elected vice president/president-elect of the Southeast Association of Law Schools (SEALS) and formally installed as a general member of the Council of the American Bar Association (ABA) Section on Legal Education and Admission to the Bar.

Blanche Bong Cook moderated "Let us Live: Conversations about Race, Reconciliation & Resolutions" hosted by the John Rowe Chapter of the National Bar Association on June 13 at Southland Christian Church in Lexington, Kentucky. The panel included Lexington Mayor Gorton, state Sen. Reginald Thomas as well as church and community leaders.

Joshua A. Douglas' book *Vote for US: How to Take Back Our Elections and Change the Future of Voting* was selected as the Marist College Common Read for the Class of 2024. The Common Read Program seeks to enlighten and unite the incoming class through their exploration of one common book.

Jane Grisé served on a panel, "Bringing Lawyering Skills into the Doctrinal Classroom," during the Legal Writing Institute's 2020 Virtual Biennial Conference. The panel discussed the ways to incorporate lawyering skills education into the legal writing and doctrinal classroom. Grisé spoke about "improved comprehension with visual images."

Kathryn L. Moore was named a 2020-21 University Research Professor. The purpose of the University Research Professorship program is to recognize and publicize research accomplishments of scholars across the full range of disciplines at UK.

Melynda J. Price was appointed to the Law Enforcement, Justice & Accountability Subcommittee of Lexington Mayor Linda Gorton's Commission for Racial Justice and Equality. The commission aims to listen, discuss and create empowering solutions that dismantle systemic racism in Fayette County, Kentucky.

Paul E. Salamanca is on leave, serving as senior counsel to the assistant attorney general for the Environment and Natural Resources Division of the U.S. Department of Justice.

UK ROSENBERG LAW'S NEW FACULTY FOR 2020-2021

Alan J. Kluegel • Assistant Professor of Law

Kluegel's research interests include corporate law, the legal profession, and the empirical study of law. Kluegel received his B.A. in Sociology and English from the University of Illinois, his J.D. from Georgetown University, and his Ph.D. in Jurisprudence and Social Policy from the University of California, Berkeley. At Berkeley, he received the Outstanding Graduate Student Instructor award and the Daniel E. Koshland, Jr. Art of Teaching Writing Fellowship. Prior to joining the UK Rosenberg College of Law, Kluegel was a visiting assistant professor at the University of Illinois College of Law. In between his lengthy stints as a student, he practiced corporate law for Simpson Thacher & Bartlett LLP in New York and Gilbert LLP in Washington, D.C., and clerked for the Honorable Marianne O. Battani of the Eastern District of Michigan.

Jonathan David Shaub • Assistant Professor of Law

Shaub's research focuses on the Constitution's separation of powers, presidential power, the role of the judiciary, and congressional oversight. He joins UK Rosenberg Law after serving in both federal and state government. From 2014 to 2017, he worked as an attorney-adviser in the Office of Legal Counsel at the U.S. Department of Justice, where he provided legal advice to the president and executive branch agencies and worked extensively on issues related to congressional oversight. Following that, he served as assistant solicitor general for the state of Tennessee. Prior to his government service, Shaub also worked in the Supreme Court and Appellate litigation group at Hogan Lovells US LLP. Shaub earned his law degree from Northwestern Pritzker School of Law, where he served as Executive Articles Editor for the *Northwestern University Law Review*. After graduation, Shaub clerked for the Honorable Paul V. Niemeyer on the U.S. Court of Appeals for the Fourth Circuit and was selected as a Bristow Fellow by the U.S. Solicitor General's Office. He received his B.A. from Vanderbilt University, where he earned double majors in philosophy and religious studies and had minor concentrations in both English and Astronomy.

A Champion Gives Back
MAJOR JENOHN LESHEA SMITH

Major Jenohn LeShea Smith '04 has committed herself to paying forward the mentoring she received from family members, law professors and colleagues. As a Black female officer and the founder of a scholarship for Black female UK Rosenberg Law students, Smith believes in mentoring women and women of color. She has helped many people have their voices heard.

Smith loves the law. She grew up with a father who served as a civil rights attorney and defense attorney. After completing her master's degree at the University of Louisville, Smith applied to law school at the University of Kentucky, where her sister was an undergraduate.

"I thought it was an awesome opportunity to be there with her at the same time," Smith said. "Dad was a worker's compensation judge at that time and heard cases in Lexington and Pikeville. He always stopped to see me when he was passing through. Dad died in 2013, so my time at UK College of Law is more special because I spent so much time with him during those three years."

Smith looks back on her professors with respect. Her greatest influence was Professor Roberta Harding, who taught classes about race, capital punishment and criminal law.

"Professor Harding made me a better, more objective attorney. Race and the Law taught me about the intersectionality between race, gender and the law. It was so profound. I lived those issues, but couldn't articulate them until that class," she said. "I still refer to that notebook."

Her Trial Advocacy course and an internship with the Fayette Commonwealth's Attorney's Office helped her hone her interest in criminal prosecution. After passing the bar exam, she joined the Hardin Commonwealth's Attorney's Office, where she prosecuted felonies and learned from colleagues, both prosecutors and defense counsel.

"I had a lot of people who challenged me, making me a better prosecutor and trial advocate," she said.

Within the first year, Smith prosecuted a defendant who sexually assaulted his children and stepchild. The jury recommended consecutive life sentences.

"That was a major accomplishment for me, because I was questioning myself at the time. I wasn't sure I was the right prosecutor for that case," she said.

After serving in Hardin County for eight years, Smith moved to Douglasville, Georgia, in 2013. In private practice, she focused on estate planning, military and veterans' law, and family law. In 2016, she moved to Washington, D.C., to serve as a sexual assault investigator for the National Guard.

"I loved serving as an investigator. I traveled all over the nation, basically giving people a voice. No matter the outcome, many victims and alleged perpetrators appreciated the opportunity to be heard."

In late 2017, after completing 16 investigations, Jenohn LeShea returned to Louisville to serve as Staff Judge Advocate for the 123d Airlift Wing, Kentucky Air National Guard (KY ANG). As Staff Judge Advocate, she advises the Wing Commander and 21 subordinate commands, and is responsible for legal services for approximately 1,250 KY ANG members and dependents, as well as retirees and Veterans from all Services.

"It's a position of trust to advise my Commander on state and federal missions and personnel issues," she said. "Most of my job is issue-spotting and risk analysis, the foundation for which began in law school."

"The greatest accomplishment for me today is being the best mentor I can be. We have very few Black female officers. It's important that I always have an open door and safe space for anyone."

With her focus on education and mentoring, Smith created the Be Encouraged scholarship for Black female UK Rosenberg Law students.

"That is my way to give back to the community, to build it up by paying it forward. I've also reached out to my colleagues to create scholarships at their alma maters. I'm a champion of Black women because so many women were champions for me."

RUTH PAARMANN

A Hall of Fame Couple

MARIE ALAGIA CULL ★ WILLIAM H. CULL

In a charming house-turned-office in Frankfort, Kentucky, you can find Marie and Bill Cull doing what they love. Marie's firm, Cull & Hayden, PSC, specializes in healthcare law with her two partners on the second floor, while Bill leads operations for Save the Grand Theatre, Inc. from the first floor.

While their paths didn't cross until after they graduated from law school, their careers, volunteerism and philanthropy have spanned decades and have included considerable involvement with the UK Rosenberg College of Law.

Marie grew up with the law. Her father was an attorney and partner with Barnett & Alagia in Louisville. When she finished college in Washington, D.C., she decided to stay in Kentucky.

"Dad said, 'If you're staying here, go to UK Law, because you'll always know someone, wherever you go,'" Marie said. "And it's true. I enjoyed getting to know people from all over the state in classes, Moot Court and student government. Later, when I was doing trial work, it helped a lot to know people in different communities."

She worked for a small firm at first and learned the ropes of healthcare law at her father's firm. She also served on the state's Commerce Cabinet. Over the years, she has woven her interest in politics into her work as a lobbyist for a variety of healthcare organizations.

"I love lobbying because I like solving problems," Marie said. "Being a lawyer makes it possible to analyze situations and seek solutions, while understanding implicitly that you can disagree and walk away without hard feelings."

In her career, Marie is most proud of her three-woman law firm, Cull & Hayden, which she started on her own before UK Rosenberg Law alumni Marian Hayden and Holly Curry joined the firm in 1995 and 2012, respectively.

"We work really well together and complement each other's abilities," Marie said. The firm represents a number of healthcare entities. "It's a natural fit for me, and I really enjoy it."

Bill's interest in debate and public speaking in junior high and high school led him to attend the UK's summer debate program and eventually law school at UK. He worked as much as he could while attending graduate school and law school, commuting from his home in Harrodsburg to Frankfort and Lexington.

Before law school, Bill worked at the Legislative Research Commission, where he was assigned to study issues in the prison system—a background that would later help him lead a private prison management company. He also worked for Governors Carroll, Brown and Wilkinson.

"I spent five years working for governors then the Commerce Cabinet before becoming corporate counsel for a real estate developer, later Governor Wilkinson, in 1987," Bill said. "We had built some hotels and residential communities, so when an opportunity came up in 1993 to work for Concept, Inc., a private prison company, I had a good background for it based on my experience at LRC, and in real estate and business."

About 25 years ago, a larger prison company purchased Concept, and Bill moved on to philanthropic pursuits. He focused on the ongoing efforts to save and restore the historic theatre in downtown Frankfort, which began in the 1980s. The Grand Theatre is now a beloved hub of music, performing arts and movies. Bill and several others also purchased the Frankfort firehouse built in 1868 with plans to restore it.

"Having attended UK Law, I met people from around the state, but it was the value of learning the legal method and applying it that helped me when I went into government and business and everything I've done," Bill said.

Each supports local charities as well as UK Rosenberg Law. They have established a scholarship to help students interested in pursuing a career in law.

"When we had success, we wanted to thank the law school and support it," he adds.

And support it, they have. The 2012 Hall of Fame inductees established the Bill and Marie Cull Fellowship Endowment Fund and are members of the Building Campaign Committee, Law Alumni Association and Lafferty Society. Each has served on the Visiting Committee, and Marie participates in the Women in Philanthropy Leadership Council. Bill and Marie are also Presidential Fellows.

RUTH PAARMANN

Crafting Distinctive Careers:

DEBRA MERCHANT & JOHN MERCHANT

Debra '84 and John '82 Merchant chuckle about the fact that they never "met." They always knew each other. In fact, Debra was delivered into this world with the help of John's mother—the first Black registered nurse in Lexington—and John was born the following year. Raised in Lexington with overlapping friend groups, they started dating in high school before attending Morehead State University.

The Merchants' wedding took place two weeks before Debra's first day in law school. The couple then followed their hearts into intriguing legal careers, with Debra on an education path and John taking a finance focus.

Now a partner at Dinsmore & Shohl in Cincinnati, John has worked in government-related roles for four decades. At the start, he knew very little about municipal finance law.

"I always wanted to be a lawyer, but I'm not sure I knew what that looked like," John said.

He studied political science and economics and talked to people like Bill James, the law school's only African American professor at the time, about what to do with his law degree. The Black Law Students Association provided John with friendships and additional insight from students from around the country.

"I looked up to Bill. We talked about the law and opportunities in the community after law school. He had a big impact on me."

John's proudest moment was graduating from law school, but he still wasn't sure what direction to take with his law degree. When former Kentucky Lieutenant Governor Steve Beshear needed an administrative assistant, John took on the role. He attended board meetings, which covered a variety of legal topics, including bonds. For several years, his involvement with housing and finance issues grew. Eventually, John was reviewing most of the bond transactions on behalf of the Commonwealth of Kentucky.

Around 1990, a Cincinnati law firm contacted him to join them as a public finance attorney. From 1991 to 2014, John continued developing his specialization as a municipal bond counsel with Peck, Shaffer & Williams. That firm merged with Dinsmore & Shohl in 2014. John continues to practice there and feels fortunate to have built a career in public finance law.

"I enjoy it because I contribute to tangible infrastructure projects such as bridges, school buildings, the Cincinnati streetcar and the Lexington Airport. I've done the bond work for these and get to see citizens using the completed projects," John said.

Debra grew up admiring her mother's teaching abilities and envisioned herself in education. She studied special education and then became interested in the legalities of the field. Today, she serves as Vice President for Student Affairs at the University of Cincinnati.

"After getting my special education degree and teaching, I had a curiosity about the underpinnings of the law for special ed and how the law impacts everything we do on a daily basis. Social justice and constitutional law are other threads that continue to pop up in my career."

Debra's mentors at UK College of Law, such as Carolyn Bratt and Louise Graham, had meaningful conversations with her about women in the legal profession. Later, Professor Bratt and Debra crossed paths again through the Kentucky Commission on Women.

A judicial internship showed Debra the interplay of the law and socioeconomic factors. Early in her career, she worked for Kentucky Protection & Advocacy as an advocate for children with disabilities and became Director of Disability Services at the University of Cincinnati in 1998. Since being named to the Student Affairs role in 2013, Debra leverages her law degree daily in the implementation of policies and practices in higher education.

"If it weren't for law school, I would not have enjoyed such varied and rewarding professional opportunities. I always hoped I would be able to combine my calling to educate and empower with the insights and critical analysis skills I acquired in law school," Debra said. "I've been able to impact lives, advocate on behalf of marginalized populations, influence policies that made public schools better and contribute to the rich legacy of higher education."

Debra and John have one daughter who is a political scientist. The Merchants have both been civically engaged, with John serving on the Morehead State University Board of Regents for 12 years, including serving as the Board chair for four years. They chuckle, noting that John learned a lot about Debra's role during his board service in higher education. Debra is currently enjoying an appointment to the Cincinnati Museum Center Board of Trustees.

"For both of us, looking through the legal lens is a skill set that is valued wherever we go," Debra said.

The Merchants will continue to give back to communities and institutions that have given so much to them, including the UK Rosenberg College of Law. Their support of the building fund will help expand the college's commitment to excellence.

"We appreciate how the law school has grown and its commitment to diversity and inclusion," Debra said. "We like the trajectory it's on."

RUTH PAARMANN

Board of Trustees Approves College of Law Gift, Renaming

The University of Kentucky Board of Trustees voted in December to accept a gift commitment of $20 million from J. David Rosenberg to officially rename the UK College of Law as the University of Kentucky J. David Rosenberg College of Law.

Growing up in Lexington, Rosenberg learned about the power of education to transform lives and create opportunities. It was a lesson solidified in his mind as a law student at UK.

There, in the early 1970s, under the tutelage of UK faculty legends like Rutheford (Biff) Campbell, Robert Lawson, William Fortune, Alvin Goldman, Paul Oberst and Burt Ham, Rosenberg found a combination of outstanding legal education and intellectual rigor — attributes that would inform and guide his work as one of the region's leading attorneys for the last several decades, specializing in areas of corporate finance, venture capital, banking and reorganization.

On Nov. 8, 2019, UK announced the historic $20 million gift to the College of Law from Rosenberg and his wife, Dianne, who live in Cincinnati. The gift is the third-largest single donation in university history. David Rosenberg credits his legal education at the University of Kentucky for his success and leadership roles in law, finance and his community. The gift will further strengthen the academic excellence of the College of Law by supporting scholarships for outstanding students and efforts to recruit and retain world-class faculty.

"There is a saying that 'education is an unfinished symphony,'" Rosenberg said in announcing the gift in the college's new G. Chad Perry III Grand Courtroom. "We make music to stir hearts and minds, to force us to remember, and compel us to commit to each other and to ideas larger than ourselves. We invest in education — to honor those upon whose shoulders we stand who made our success possible, but also as an investment of faith in the future, the idea that what these students will compose and create as lawyers and leaders — ideas, laws and public policy — will deepen not only our understanding of the law, but how our society can be more just."

The University of Kentucky J. David Rosenberg College of Law is the third named college at the university, in addition to the Gatton College of Business and Economics and the Lewis Honors College.

"Success has many mothers and fathers. Today's historic gift and event remind us of that truth once again. David's gratitude for the education he received — and his deep commitment to the idea that those who follow him should receive the same potential for transformative education — is why we are here today," UK President Eli Capilouto said. "I have been enriched by getting to know David and Dianne and by their passion for education, for this place, and for the communities, ideas and institutions to which they have so passionately given their time, talents and resources over many years. Their gift today reminds us of how vital and fundamental teaching and education are in shaping us, guiding us and opening up to all of us the powerful idea that anything is possible."

The College of Law – now the J. David Rosenberg College of Law – was founded in 1908. It was one of the nation's first state law schools. The college is housed in a recently renovated state-of-the art building, and the college has routinely been named among the best values in legal education.

In making this gift, Rosenberg cited the university's established record of intellectual and educational excellence in preparing students for careers in the law and public service. His endowment will focus on scholarship opportunities for future generations of UK law students and faculty support as the college seeks to retain and recruit outstanding legal scholars.

"I have come to understand that David Rosenberg's story is the story of commitment to excellence, intellectually and professionally, and personally through his commitment to those causes and communities that have mattered to him throughout his life," said Mary J. Davis, interim dean of the college. "His story also is the story of the University of Kentucky College of Law — commitment to excellence driven by a talented faculty who provide a foundation upon which our students will build their lives as successful, intellectually curious lawyers who are committed to their communities. David Rosenberg's generosity to the College of Law will bear the fruit of his commitment to excellence for generations."

The historic gift is a tangible symbol of a life of service, commitment and giving to their community by Rosenberg and his wife, Dianne. They are well known in Cincinnati for their investment and leadership in the Jewish, civic and arts communities. David Rosenberg serves on the boards or committees of the Jewish Foundation of Cincinnati, the University of Kentucky College of Law Visiting Committee, the Greater Cincinnati Foundation, Isaac M. Wise Temple and the Music Hall Revitalization Company. He has been active as a leader in the corporate world, serving on a number of boards of publicly traded and privately owned businesses. In 2001, he and his wife shared the "Peace of the City Award" in Cincinnati.

The couple underwrote an original opera based on "Blind Injustice," a book by Mark Godsey, co-founder of the Ohio Innocence Project, a program affiliated with the University of Cincinnati College of Law that has led to the exoneration and release from prison of nearly 30 individuals wrongly convicted and incarcerated for crimes they did not commit — one of the most successful such efforts in the country. They recently funded the commission by the Cincinnati Symphony Orchestra of Symphony No. 6 by Christopher Rouse that premiered at the CSO.

Rosenberg is a senior partner in the Cincinnati firm of Keating, Muething & Klekamp, where he has practiced since 1974. He is a 1971 Cum Laude graduate of the University of Pennsylvania's Wharton School and a 1973 graduate of the UK College of Law. There, he was named to the Order of the Coif, one of the highest academic honors in the college, won the College of Law's Brown, Todd & Heyburn prize for outstanding work in corporate law, and was on the Kentucky Law Journal staff.

JAY BLANTON

The Rosenberg College of Law Endowment will:

- Provide merit scholarships annually, the recipient of which will be known as a J. David Rosenberg College of Law Scholar. The award will be based on demonstrated intellectual excellence and promise.

- Support faculty positions in the college, selected by the UK College of Law dean in consultation with faculty leaders. The faculty member selected will be known as the J. David Rosenberg Professor of Law. Faculty support may include funding or salary enhancements and assistance with nationally or internationally important research.

- Support college program needs, which may include symposia of national or international importance, visiting professors and student career services, among other initiatives.

AN INSIDE LOOK:
College of Law Gift Announcement

University of
Kentucky

UK Law

College of Law Celebrates New Era, Modern Home with Ribbon-Cutting Ceremony

University of Kentucky President Eli Capilouto, Chief Justice of Kentucky John D. Minton Jr. and former Kentucky Gov. Steve Beshear joined UK College of Law faculty, staff, students and alumni Tuesday, Nov. 19, 2019, for a ribbon-cutting ceremony to mark the reopening of the Law Building following a two-year, $56 million renovation and expansion.

"Although the walls around us are new, they are steeped in a powerful legacy and tradition of fairness, hard work, decency, and excellence — this space is hallowed," Capilouto said. "History has shown us that in times of tension, when we cannot find commonalities in our ideologies, perspectives, and opinions, we turn to our laws, for within them are the principles of order. These grounds are distinguished for what is done here. And since 1908, when the University of Kentucky College of Law became one of the nation's first state law schools, this college has provided a space where students are challenged and inspired. A space where ideas are confronted, refined, changed, and strengthened. A space that empowers its people to answer the call to serve, to advocate, to uplift."

With the renovation and expansion, the College of Law's footprint increased 26% to 122,513 square feet, providing more space for teaching, learning, research, practical skills training and co-curricular programming. The building was designed to support enhanced teaching and learning and provide the foundation for a high-quality legal education in the 21st century.

Located on South Limestone with a main entrance facing the center of campus, the building's façade consists of large windows that flood the interior with natural light. In addition, each floor is interspersed with built-in alcoves and common areas designed to facilitate collaboration.

Numerous donations from alumni and friends of the College of Law helped make the project a reality. The university also announced on Nov. 8 a historic $20 million gift to the College of Law from alumnus J. David Rosenberg and his wife, Dianne. The gift was the third-largest single donation in the university's history.

"This building — our new home for the College of Law — shows current and future students our commitment to empowering them to excel in the classroom and in careers throughout the Commonwealth and across the globe," said then Dean David A. Brennen, who returned from professional development leave to speak at the ceremony in the G. Chad Perry III '51 Grand Courtroom. "Every aspect of this facility — the courtroom and classroom technology; the natural light in the Law Library and throughout the building; the collaboration spaces on every floor — is about preparing our students and enhancing our faculty research to impact Kentucky and the world."

Brennen said students choose to attend law school at UK because of the college's reputation for having a stellar academic program and

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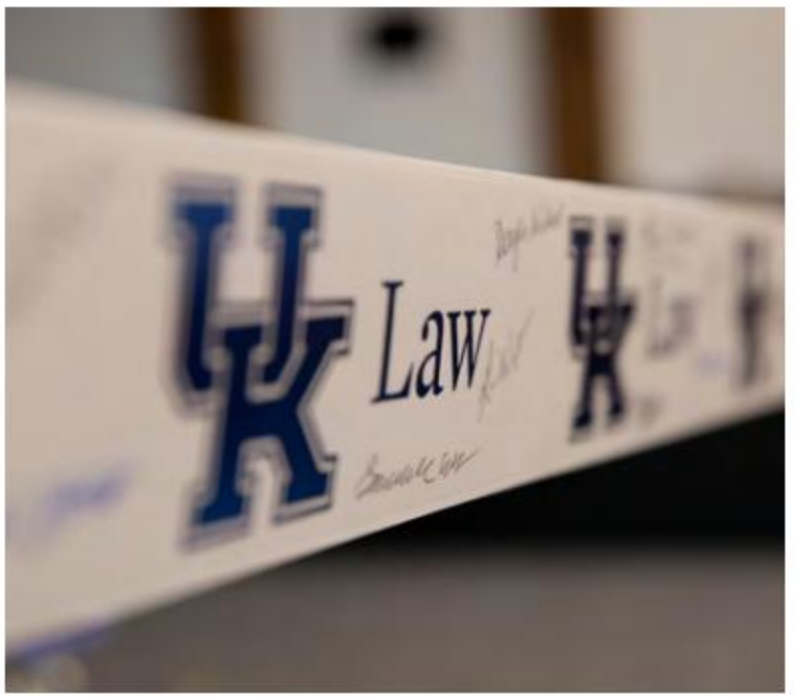
>
> David A. Brennen



graduates who excel in bar passage and employment success. The Law Building now reflects the law program, which is consistently ranked among the best law schools in the country.

"We surveyed faculty, students, staff and alumni during the early phases of design planning to find out those features that really mattered in creating our new College of Law," said Interim Dean Mary J. Davis, who chaired the building committee. "The most important goal was enhancement of faculty-student interaction. Students and faculty want to be able to collaborate in and out of the classroom."

Additional features of the renovated Law Building include:

- A new main entrance with a two-story portico.
- The modernized 185-seat G. Chad Perry III '51 Grand Courtroom for oral argument training, live court proceedings, lectures and conferences.
- A new small moot courtroom for litigation training.
- Eleven new classrooms.
- High-tech enhancements to all study spaces and classrooms.
- The Stites & Harbison PLLC Commons on the second floor, adjacent to Common Grounds coffeeshop.
- The Honorable William S. Cooper '70 Classrooms — three medium classrooms that can be converted into one large multipurpose room — on the third floor.
- A central location for all administrators and student support staff on the first floor in the Jo McCown Ferguson Dean's Administration Suite, which was named in conjunction with a gift from UK Trustee Emeritus C.M. "Bill" Gatton.
- Two terraces — The Dinsmore Terrace on the second floor and another terrace on the third floor.

"We created spaces for students to gather together, to work together, and to build community," Davis said. "Our reimagined College of Law Building accomplishes these important things in abundance, all while providing a state-of-the-art learning environment."

The construction project started in mid-July 2017 with the demolition of the Law Building, originally constructed in 1965, down to its concrete foundation. Sherman Carter Barnhart of Lexington and Kohn Pedersen Fox Associates of New York City designed the building. Congleton-Hacker Company, also of Lexington, served as the construction managers. David Collins of UK Capital Projects oversaw the construction project for the university. Danny Murphy, senior assistant dean of community engagement and operations, served as the college lead on the project.

"Today, we commemorate a facility that will embolden and empower the kind of scholarship our faculty must produce and the kind of education and call to service our students need and deserve. That need — and this college's place in our state — are why I pushed, with a sense of dogged determination, for funding for this facility. I know the power and importance of the work done here and the education provided. Place matters. The space in which we do our work is vital," Beshear said. "And if we want the best from our students, and from those who educate them, then we must provide space and facilities that enhance and extend their work. Today, we dedicate a facility that will make good on that promise. Our state needs bold leaders, leaders who put people above party and progress above partisanship. The process of producing those kinds of leaders, in many ways, can, should and must start here ... in this building."

Pictured above from left to right: Interim Dean Mary J. Davis, Chief Justice of Kentucky John D. Minton Jr., Former Kentucky Gov. Steve Beshear, Attorney J. David Rosenberg, UK President Eli Capilouto, Anna Bacon-Tinsley, Dean David A. Brennen, SBA President Chynna Hibbitts, Board of Trustees Chair Robert D. Vance.

THE FIRST YEAR IN OUR NEW BUILDING

The Bankruptcy Appellate Panel of the Sixth Circuit heard oral arguments on Feb. 11, 2020, in the G. Chad Perry III Grand Courtroom.

UK Rosenberg Law's Black Law Students Association hosted high school students in the Charles S. Cassis '63 Jury Deliberation Room from the Carter G. Woodson Academy at Frederick Douglass High School in Fayette County, Kentucky for "Law Student for a Day."

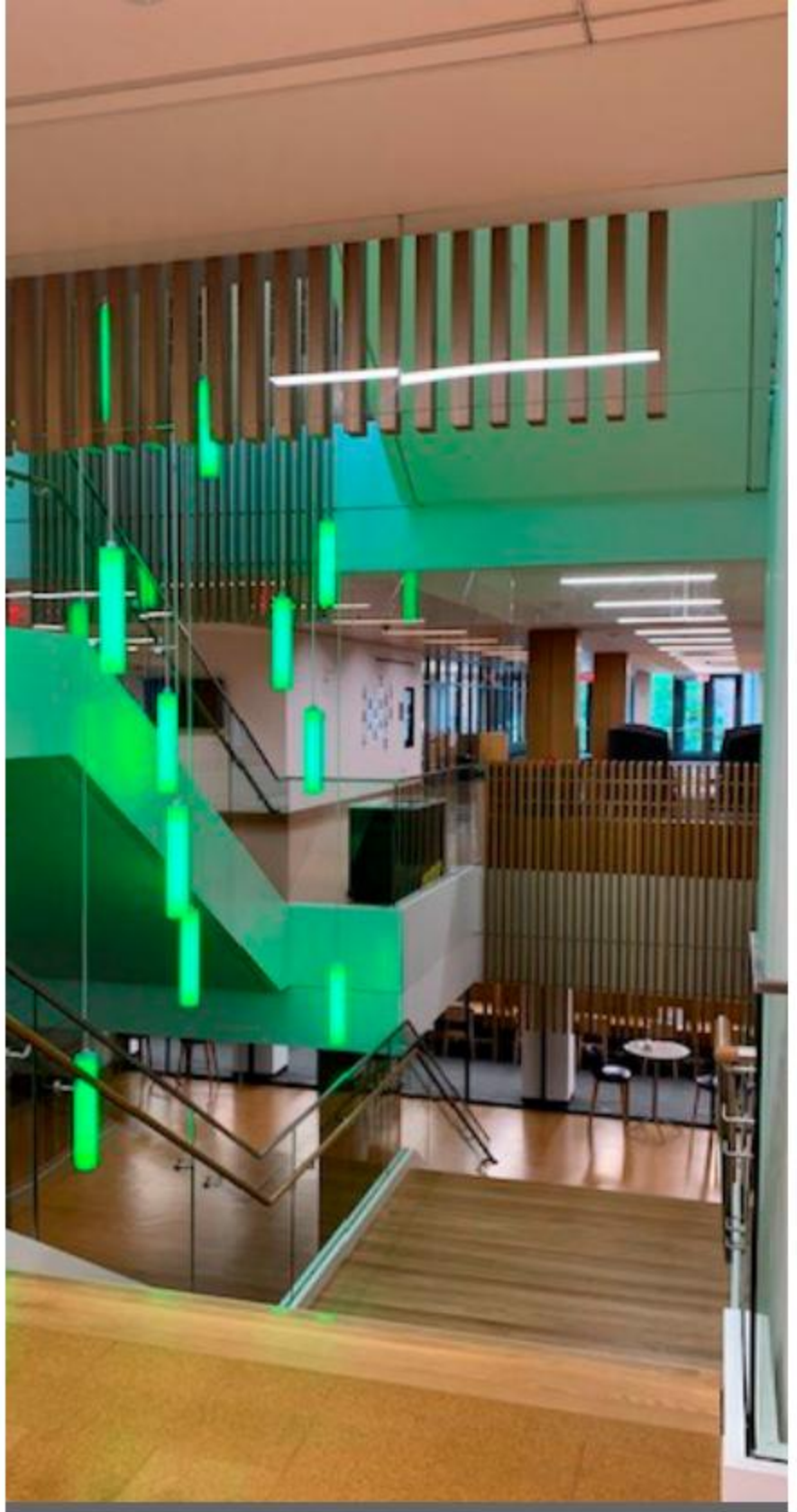
The Student Bar Association hosted Mental Health Day speakers in the C. Edward Glasscock '69 and Mary F. Glasscock and The Family of William T. Robinson, III '71 and Joan M. Robinson Classroom.

The UK Rosenberg Law Diversity Committee hosted its annual ice cream social for students and attorneys on the Third-Floor Terrace.

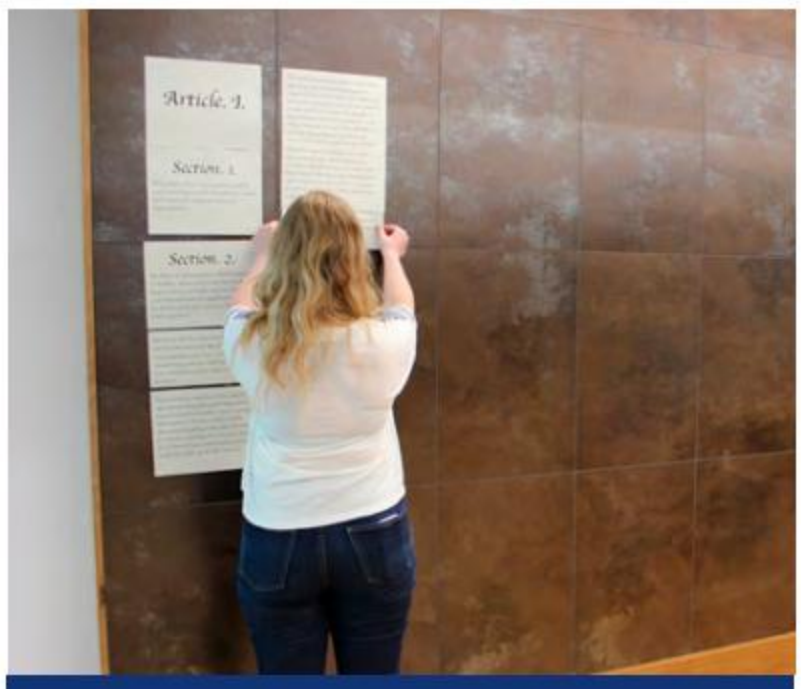
Students gather in the Stites & Harbison PLLC Commons on the second floor.

Alumna Karen Caldwell, Chief Judge of the United States District Court for the Eastern District of Kentucky, and Interim Dean Mary J. Davis offered advice to new students during the Class of 2022 Pinning Ceremony.

Blanche Bong Cook, Robert E. Harding Jr. Associate Professor of Law, teaches in one of our modernized classrooms.



We lit the halls of the Law Building green to honor Kentuckians lost to COVID-19.



The UK Law Library helped us celebrate Constitution Day in September 2019 with free U.S. Constitution books, a U.S. Constitution puzzle, a giant Constitution assembled by students, faculty and staff, a special display of books from the library's collection, and giveaways.

Students gather in the In Memory of James V. and Pauline D. Harralson Commons.

<< OUT WITH THE OLD...

...IN WITH THE NEW >>

Q&A with alumna Aurelia Skipwith

director of the U.S. Fish and Wildlife Service

UKNow asked Aurelia Skipwith (2005) to share how her education at the Rosenberg College of Law prepared her for this new role.

UKNow: Why did you choose to attend the Rosenberg College of Law?
Skipwith: I consider law my second career, and I envision it as a conduit to bring science into regions of this nation and around the world. I have found laws and regulations can either be barriers or used to facilitate the use of science and technology to improve our environment and world.

Since I was in the workforce for about seven years before attending law school, I did not want too many distractions from my studies. I knew I could get a great education in a nice city without paying a fortune. The UK J. David Rosenberg College of Law, formerly UK College of Law, was highly rated for their academic program and the reasonable cost of living.

I visited the school and liked the professors that gave a preview of what class would be like. I had visited other schools, but was impressed by the faculty, the students, and the administration here.

UKNow: How would you describe your time at UK?
Skipwith: Most law school students have some experience or familiarity with law school, either they have friends attending with them, a family member in the field, or they have prior skills and knowledge. I did not have any of those. That was truly a new world for me and the first year was hard. I spent a lot of time studying in a room on the second floor of the law building or at a table hidden in the basement of the law library. Although nerve-wracking at the time, it was just a part of adjusting to being a law student. Studying together with my fellow students forged a bond — although at the end of the day, it was still competition.

UKNow: Which faculty members made an impact on your UK experience?
Skipwith: One thing I will never forget is taking Tax I from Dean Douglas Michael. I had some questions and due to scheduling, we were not able to meet during the weekday. He offered a Saturday morning and spent hours answering my questions until I was comfortable with the information. It just showed how dedicated the faculty at UK Rosenberg Law was and is.

I also enjoyed Professor Sarah Welling's teaching style. Her articulation of the subject matter and elements for each law was very methodical and scientific in the presentation. In addition, Professor Thomas Rutledge's course of "how do you create a business for your client and protect their interests" was a creative style unlike any other.

One person that truly made a difference and kept me going when days were rough was Dean Danny Murphy. He was so supportive. No words can describe my gratitude to him and all that he does, and I love that he always had a smile.

UKNow: How did your time at Rosenberg College of Law prepare you for your new position?
Skipwith: I work on a myriad of subject matters and work in very close coordination with the lawyers and solicitors on decisions and regulations promulgated by the Service. Prior to working at the Department of the Interior, I practiced in-house at an all-natural agricultural company based in Kentucky. In my current role, I support President Trump and Secretary Bernhardt's mission to improve the lives of American people and to protect our fish and wildlife. I use my legal background every day to make my decisions.

UKNow: How has your law degree impacted your career?

Skipwith: I spent about three years contemplating going to law school, but it was finally having a job in the Corporate Affairs department that convinced me to go back to school. I had spent six years working in the laboratory and then accepted a role in Corporate Affairs to manage a project developing crops in African countries where people were facing starvation. I never thought that that job would have a nexus to law, but it did. I desperately saw that having a background in law was a necessity for me, not only for that particular role but to ensure science can be used to ensure our environment is protected.

As the director of the U.S. Fish and Wildlife Service, my background as a biologist and a lawyer has been an asset to the work I do every day on behalf of the American people. As a public servant, I bridge the gap between science and policy while operating within the boundaries of the laws.

DANIELLE DONHAM

Alumnus Investigates Cyber Crimes and Educates Public During Pandemic

Herb Stapleton and his teams at the FBI have stayed busy as cyber criminals attempt to take advantage of the coronavirus pandemic.

Stapleton, a section chief in the FBI's Cyber Division, oversees the Cyber Criminal Operations section, and he is often called to educate the public about cyber scams. He recently appeared on the *Today* show and has presented during webinars and virtual presentations for various groups, including a hospital association and the National Association of Attorneys General.

"This is really a team effort," said Stapleton, a 2000 graduate of the University of Kentucky College of Law, now the UK J. David Rosenberg College of Law. "There are a lot of people involved in making these things successful."

Stapleton has been an FBI agent for about 16 years and in his current position with the FBI for over a year. He has executive oversight of all investigations into cyber criminal activities across the globe, which amounts to approximately 1,500 to 2,000 cases that can take months, or even years, to investigate. In addition, Stapleton is responsible for overseeing the FBI's Internet Crime Complaint Center as well as some public-private partnerships related to cyber investigations. The Internet Crime Complaint Center, know as IC3, serves as the FBI's intake portal for all Covid-related Internet fraud complaints.

"It could be a phishing email that has a Covid theme," he said. "Sometimes, it has to do with people trying to sell fake PPE (personal protective equipment) on the Internet. It could be charity scams – a broad range of things."

IC3 sends information to investigators and shares public awareness messages on the IC3.gov website.

Another unit under Stapleton works to identify malicious websites and domains and have them removed by the Internet service provider.

"I get the opportunity to talk about the really great work that our teams are doing within the FBI," Stapleton said.

In law school, Stapleton didn't know exactly what he wanted to do with his law degree. However, he had considered a career as a prosecutor.

"As I went through my time there and got exposed to other parts of the law, that goal kind of shifted and I decided I wanted to work more in the corporate and commercial space," said Stapleton, who practiced corporate and commercial law at a private law firm for about four years after he graduated.

He started thinking about the FBI as a career after 9/11.

"I always thought being an FBI agent would be a really interesting and fulfilling job, but I never really thought of that as a viable option until after 9/11," he said. "The FBI was in the press a lot."

Stapleton said the education he received at UK and his experience practicing law in a field other than criminal law continues to be "extremely valuable" in his work with the FBI. He said a lot of the crimes investigated by the FBI occur in a corporate environment.

"I think a law degree is an extremely valuable background for an FBI agent," he said.

Stapleton has positive memories of his time at UK. Growing up in Johnson County, he was already a fan of UK sports when he enrolled for law school after receiving his Bachelor of Arts from Centre College.

Stapleton recalled being on the Moot Court Board, working as a research assistant for Professor Rutheford (Biff) Campbell, and going to Keeneland when he wasn't studying.

"I had a tremendous experience at UK Law," he said. "I was not a standout student by any stretch of the imagination, but I did OK. I really made some great friends there, and I got a really valuable education."

Asked if he had any advice for current students, Stapleton said they should make the most of their time at UK Rosenberg Law.

"There are so many different ways to have a positive impact on the world, and I think UK Law is a great first step toward that," he said.

CLASS NOTES

2010s

Jordan Gilliam (2019) recently joined Stites & Harbison, PLLC as an attorney. Gilliam is a member of the Real Estate & Banking Service Group in Lexington.

Kevin Havelda (2015) recently joined Wheeler Trigg O'Donnell LLP, where he represents clients in complex commercial litigation matters, with a focus on insurance, business torts, employment defense, and contractual disputes.

Rebecca M. W. Sherman (2013) was promoted to partner at Stites & Harbison, PLLC (Lexington, Kentucky, office – Construction Service Group) in January 2020.

Thomas E. Clowers (2012) was appointed as the prosecuting attorney for the Eleventh Judicial Circuit of Indiana.

J. Brittany Cross Carlson (2010) was promoted to partner at Stites & Harbison, PLLC (Louisville, Kentucky, office – Torts & Insurance Practice Service Group) in January 2020.

2000s

Amelia Martin Adams (2009) was recently appointed to the position of vice president and senior trust officer of WesBanco Trust and Investment Services.

Brent Craft (2009), of Vorys, Sater, Seymour and Pease LLP, was elevated to partner on Jan. 1, 2020. Craft is a member of the litigation group in the Cincinnati office.

Tiffany J. Williams (2009) began a new position as an attorney for the U.S. Department of Veterans Affairs in Washington, D.C. in June 2019. Previously, she served as the assistant dean for admissions and enrollment management at George Mason University, Antonin Scalia Law School.

Steven Henderson (2007), a Stites & Harbison, PLLC, attorney, has been appointed chair of the firm's Construction Service Group.

Cassidy Rosenthal (2002) was inducted as a fellow of the American College of Construction Lawyers in February 2020 at the Annual Meeting in Tucson, Arizona. ACCL, one of the nation's leading legal associations, only designates the top 1% of the construction bar in the U.S. with this honor.

Emily Cowles (2000) has joined Wyatt, Tarrant & Combs LLP as a partner in the Lexington, Kentucky, office.

Mandy Wilson Decker (2000), a Stites & Harbison, PLLC, attorney, has been named to Managing Intellectual Property magazine's "IP Stars" list for 2020 as a Kentucky Patent Star.

1990s

David Longenecker (1999), a Stites & Harbison, PLLC, attorney, was elected director of the Boyle County Industrial Foundation Board of Directors.

Brian A. Cromer (1990), a partner at Stites & Harbison, PLLC, was recently elected to the Kentucky Chamber of Commerce Board of Directors. Cromer will serve on the 70-member board, which represents a cross-section of key business and industry leaders from across Kentucky.

1980s

Allyson True Cook (1989), a Stites & Harbison, PLLC, attorney, is the recipient of the seventh annual Debbie Simpson Spirit of Achievement Award from the Northern Kentucky Chamber of Commerce. The award honors women involved in the Northern Kentucky Chamber Women's Initiative who have made a significant impact upon the progress of the Women's Initiative program, have demonstrated career success and have been active in the community.

Morgan Ward (1989), partner in the Business Litigation Service Group of Stites & Harbison, PLLC, in Louisville, Kentucky, was appointed by Louisville Mayor Greg Fischer to serve on Louisville Metro Government's Historic Landmarks and Preservation Districts Commission. The appointment was approved by Metro Council.

Michele M. Whittington (1986), an attorney with Morgan Pottinger McGarvey, was recognized for Administrative/ Regulatory Law in the 2020 edition of *The Best Lawyers in America.*

Scott T. Rickman (1984), managing director of Morgan Pottinger McGarvey's Lexington office, has been named by *The Best Lawyers in America* as Lawyer of the Year for Litigation – Real Estate Law for 2020. Rickman was also recognized for Bankruptcy and Creditor Debtor Rights/ Insolvency and Reorganization Law and Mortgage Banking Foreclosure Law.

Ashley Ward (1984), a Stites & Harbison, PLLC, attorney, has been inducted in as a Fellow of the American College of Trial Lawyers.

Michael Risley (1983) was named Office Executive Member for the Stites & Harbison, PLLC Louisville, Kentucky, office.

Gregory P. Parsons (1982), of Stites & Harbison, PLLC, has been named by *The Best Lawyers in America* as Lexington Construction Law Lawyer of the Year for 2020.

1970s

C. Edward Hastie (1974), an attorney with Morgan Pottinger McGarvey, was recognized for Trusts and Estates and Litigation-Trusts and Estates in the 2020 edition of *The Best Lawyers in America.*

John T. McGarvey (1973) was appointed as Uniform Commercial Code committee chair by the Uniform Law Commission for a two-year term. McGarvey has served as Kentucky's legislative liaison for the ULC since 2006.

Class Notes Submission: UK Rosenberg Law encourages alumni to submit recent professional successes along with a headshot to law@uky.edu. Please include first name, middle initial, last name and married name (if applicable). Please specify the UK Rosenberg Law graduates when sending a list of multiples from a firm.

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The Honorable James S. Chenault, 1949
Mr. William H. McCann, 1952
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Mr. Fred W. Bond, 1960
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The Honorable Edwin P. Abell, 1965
Mr. Henry Hunter Durham, 1965
Mr. Mark E. Gormley, 1965
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Mr. Joseph M. Whitmer, 1967
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Mr. David W. McLellan Jr., 1969
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Mr. Richard L. Gentry, 1972
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Mr. Carroll R. Jenkins, 1972
Mr. Allen C. Trimble, 1975
Mr. Douglas A. Wetzel, 1975
Mr. Jeffrey A. Woods, 1975
The Honorable Steven D. Combs, 1986
Ms. Lynn Conrad Stidham, 1987
Ms. Laura A. Larkin, 1992
Ms. Lynne Pierce Dean, 2001
Mr. Matthew Rob Walter, 2003
Dr. Brittany K. Buchanan, 2013

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2020 Alumni Hall of Fame

The UK Rosenberg College of Law Alumni Association Hall of Fame was established to acknowledge graduates and former faculty of the college whose extraordinary professional success and contributions, profound positive influence on the Rosenberg College of Law, and high degree of character and integrity are recognized by their peers. Inclusion in the Hall of Fame is the highest honor bestowed by the Rosenberg College of Law.

Marianna Jackson Clay was the first woman valedictorian of the University of Kentucky College of Law in 1978. She graduated with High Distinction and Order of the Coif and served as comments editor of the Kentucky Law Journal.

After graduation, Clay served as a staff attorney for the newly created Kentucky Court of Appeals. In 1979, she joined the United States Attorney's Office for the Eastern District of Kentucky as an assistant U.S. attorney. She was appointed as first assistant U.S. attorney for the Eastern District in 1992.

Following her appointment as first assistant, Clay was named senior litigation counsel for the Eastern District of Kentucky. In 2009, Clay was appointed assistant director for civil litigation instruction at the National Advocacy Center in South Carolina, a residential training facility for Department of Justice attorneys nationwide.

Clay has taught at the law school for several years as a visiting professor of Civil Pretrial Practice, a course she created to provide UK Rosenberg Law students with additional pre-trial litigation experience.

Jesse Crenshaw served as Kentucky state representative of the 77th House District for 22 years, from 1993– 2015.

He received his B.A. from Kentucky State University and J.D. from the UK College of Law in 1973. He later worked for the state labor department, taught criminal justice at Kentucky State University and served as the first Black assistant U.S. attorney for the Eastern Judicial District of Kentucky.

When Crenshaw was elected to the Kentucky Legislature in 1993, he became the first African American from Fayette County to be elected to the Kentucky House of Representatives.

Crenshaw, along with former Kentucky Chief Justice Joseph Lambert, was instrumental in establishing and funding the Kentucky Legal Education Opportunity (KLEO) program, patterned after the national CLEO program to increase the number of historically under-represented students in Kentucky's public law schools.

Jerry P. Rhoads was born in Henderson, Kentucky. He received his B.A. from Murray State University in 1963 and earned his Juris Doctor degree from the University of Kentucky College of Law in 1966, where he earned the honor of Order of the Coif and was note editor of the Kentucky Law Journal in his third year. He served in the U.S. Army Judge Advocate General's Corps from 1966 to 1970 and was awarded the Army Commendation Medal with Oak Leaf Cluster.

He began his private practice in Webster County, Kentucky, in 1970 under the firm name of Chandler & Rhoads. He has practiced law in Madisonville, Kentucky, since 1974 and under the firm name of Rhoads & Rhoads, P.S.C. since 1976, specializing primarily in personal injury, workers' compensation, occupational lung disease, products liability, social security disability and estate and probate.

Rhoads has been a member of the Kentucky Academy of Trial Attorneys (now Kentucky Justice Association) since 1972, holding various offices, including president, president-elect, vice president, secretary and treasurer. He also served on the Board of Governors (First District 1981 through 1988), was former chair of KATA Workers' Compensation Section and founder and former editor of KATA Workers' Compensation Review.

Rhoads held office in the Kentucky State Senate, 6th District, from 2003 – 2014 and served on various committees, and served as Minority Whip from 2009 through 2014.

He served on the Governor's Task Force on Workers' Compensation in 1980 and the ad hoc committee appointed by House Leadership to draft workers' compensation legislation for the 1994 General Assembly.

Rhoads was a member of the Murray State University Alumni Association Board of Governors and the University of Kentucky College of Law Alumni Board of Directors (former president). He was recently selected to the University of Kentucky College of Law Hall of Fame.

Rhoads was appointed by former Kentucky Gov. Steve Beshear to the Murray State University Board of Regents in 2015 and serves as chair for 2020-2021.

2020 ALUMNI AWARDS

PROFESSIONAL ACHIEVEMENT

- *Jennifer Moore, 1998*

This award is primarily designed to recognize a particularly noteworthy accomplishment in a given year, but may be given to one who has achieved and sustained an extraordinary level of excellence in a particular area of the law or one's chosen field.

COMMUNITY SERVICE

- *Sadiqa N. Reynolds, 1997*

This award is given to the graduate who has provided outstanding leadership in his or her local community, state, or nation, to aid and benefit causes not necessarily related to the legal profession.

YOUNG PROFESSIONAL

- *Zachary A. Horn, 2011*

This award is designed for individuals who graduated within the past 10 years and have distinguished themselves professionally in the community, or in some other fashion.

DISTINGUISHED JURIST

- *Brian C. Edwards, 1996*

This award is given to the individual who has distinguished himself or herself through a contribution of outstanding service to the legal profession.

LEGACY

- *Anthony Wilhoit, 1963*

This award may be bestowed upon an individual who graduated 50 or more years ago and has demonstrated exceptional leadership in his or her profession and/or community and has made a positive impact on the well-being of the UK College of Law, the Commonwealth of Kentucky or elsewhere in the nation.

Virtual 5K Raises More Than $3,000 for Law Student Emergency Fund

The UK J. David Rosenberg College of Law held a virtual 5K, Race Judicata, the weekend of May 16-17 to raise money for the Law Student Emergency Fund, which provides financial resources for current students experiencing unexpected hardship because of an emergency or crisis.

More than 50 people participated, including faculty, staff, alumni and friends, and the event raised more than $3,000 for the fund. In addition to donating, participants were asked to complete a 5K on their own and share photos on social media using the hashtag, #RaceJudicataUKY.

"This fund gives our students a boost when they have unexpected events or circumstances come up that stretch their finances beyond the brink. Law students are often already on tight budgets, so an emergency can be devastating financially, emotionally and academically," said David Wright, assistant dean of student services. "We are able to utilize these funds to support our students through significant challenges by providing some immediate support to help cover rent, bills or other expenses."

"By getting resources to our students in crisis, we not only give them financial support but also relieve some stress or anxiety that allows them to be their best in studying the law."

Funds are distributed as grants that do not need to be repaid. Students must apply for the grant, which is available to law students in good academic standing who are enrolled full-time at the Rosenberg College of Law or as dual-degree students. The award is limited to no more than $1,000.

"The college is incredibly grateful for this support from our entire community," said Angelica Prekopa, philanthropy officer for UK Rosenberg Law. "We thank you for giving so generously and for this united show of encouragement for some of our most vulnerable students."

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Law Alumni Association Membership Change

Effective July 1, 2020, all UK Rosenberg College of Law students will become members of the Law Alumni Association automatically at graduation. Active membership will be recognized with a $75 annual gift to the RCOL Alumni Association Fund, which supports our community of students both past and present. Please visit the Alumni section of our website for additional information. We are grateful to Chair Jan Clark and the entire LAA Board as they help us navigate this change.

FINAL SPOTLIGHTS

01

Chief Judge Roger L. Gregory, United States Court of Appeals, Fourth Circuit, served as the keynote speaker for our grand opening celebration on Tuesday, Nov. 19. The lecture was part of the **Roy R. and Virginia F. Ray Distinguished Lecture Series** in conjunction with the **Judge John G. Heyburn II Initiative for Excellence in the Federal Judiciary.**

02

The second-grade class from Sandersville Elementary School led the Pledge of Allegiance at the start of the **grand opening celebration.**

03

UK Rosenberg Law provided free tax preparation through the **Volunteer Income Tax Assistance (VITA) program**, part of the Central Kentucky Economic Empowerment Project (CKEEP) led by United Way of the Bluegrass.

04

We partnered with Northern Kentucky University Salmon P. Chase College of Law and the University of Louisville Louis D. Brandeis School of Law on Nov. 22, 2019, to host the **"Become the Change: HBCU Law School Preview" program** to expose diverse students to the legal profession and provide networking opportunities and pertinent information about excelling in the application process.

05

Pierce Hamblin was celebrated for his many years of service to the law school during a reception in February. At this time, he was informed of the Robing and Vestiture Room and a Faculty Office, which were named in his honor in the renovated law building. Chief Justice Joseph Lambert, Ret. and Jane C. Higgins joined Hamblin for the reception.

06

In September 2019, we gathered in downtown Lexington for the annual **3L Bash.** We had a wonderful time celebrating the Class of 2020 with alumni, students, faculty, staff and friends.

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BECOME THE CHANGE

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Rosenberg
College of Law

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